

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES

OF THE  
STATE OF ALABAMA,

SESSION OF 1888-9,

HELD IN THE CITY OF MONTGOMERY,

Commencing Tuesday, November 13, 1888.

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WITH AN INDEX,  
*Prepared by the Clerk of the House.*

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1889.





# JOURNAL.

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MONTGOMERY, ALA., Tuesday, November 13, 1888.

This being the day fixed by law for the meeting of the General Assembly of Alabama, the members elected to the House of Representatives assembled in the hall of the House at the capitol, in the city of Montgomery, at the hour of 12 M.

The Hon. Thos. G. Jones, Speaker of the House of Representatives, called the House to order, and Elmore Garrett, Clerk of the House, was at the desk as Clerk.

Prayer by the Rev. Mr. Burkhead of the city.

## ENROLLMENT.

Upon the call of the roll of counties the members elect came forward, presented their certificates of election, duly signed by the Secretary of State, and enrolled their names as follows :

*Autauga*—Merrill E. Pratt.

*Baldwin*—H. A. Tatum.

*Barbour*—Judson Davie, C. C. Shorter, A. B. Bush.

*Bibb*—S. M. Adams.

*Blount*—S. H. C. Johnson.

*Bullock*—N. B. Powell, George Stowers.

*Butler*—T. C. King.

*Calhoun*—G. C. Williams.

*Chambers*—N. D. Denson, M. V. Maley.

*Cherokee*—Charles Rattray.

*Chilton*—J. M. Dykes.

*Choctaw*—J. A. Walters.

*Clarke*—A. L. McLeod.

*Clay*—J. A. J. Nelson.

*Cleburne*—H. Allen.

*Coffee*—J. B. Simmons.

- Colbert*—W. C. Summers.  
*Conceh*—Robt. A. Lee.  
*Coosa*—W. C. Brown.  
*Covington*—E. J. Mancill.  
*Crenshaw*—J. T. Watson.  
*Cullman*—C. J. Higgins.  
*Dale*—H. J. Smisson.  
*Dallas*—Jno. F. White, W. R. Hardy, W. C. Billingslea,  
 Francis L. Pettus.  
*DeKalb*—R. M. Blevins.  
*Elmore*—George H. Parker.  
*Escambia*—Milton A. Rabb.  
*Etowah*—G. B. Wade.  
*Fayette*—J. M. Files.  
*Franklin*—E. R. Richardson.  
*Geneva*—J. L. White.  
*Greene*—Thos. J. Patton.  
*Hale*—Alfred H. Benners, Wm. N. Knight.  
*Henry*—J. B. Ward.  
*Jackson*—W. H. Bogart.  
*Jefferson*—Robert J. Lowe, M. A. Porter.  
*Lamar*—R. L. Bradley.  
*Lauderdale*—T. O. Bevis, J. M. Cunningham.  
*Lawrence*—W. W. NeSmith, W. V. Curtis.  
*Lee*—W. D. Kyle, W. A. McElvey.  
*Limestone*—Benj. M. Sowell, A. W. Mosely.  
*Lowndes*—A. C. McRee, J. H. Russell.  
*Macon*—S. B. Paine.  
*Madison*—Oscar R. Hundley, Jno. P. Hampton, E. F.  
 Walker.  
*Marengo*—D. J. Meador, S. G. Woolf.  
*Marion*—H. T. Clarke.  
*Marshall*—Jno. G. Winston.  
*Mobile*—D. H. Lay, Erwin Ledyard, Winfield S. Lewis,  
 W. A. Anderson.  
*Monroe*—W. B. Kemp.  
*Montgomery*—J. R. McLendon, Alva Fitzpatrick, W. J.  
 Barnett, A. A. Wiley.  
*Morgan*—J. E. Weaver.  
*Perry*—Wm. F. Hogue, A. D. Pitts.  
*Pickens*—L. M. Stone, M. L. Stansell.  
*Pike*—J. M. Carter, A. B. Darby.  
*Randolph*—Samuel Henderson, Jr.  
*Russell*—Jno. V. Smith, F. L. Nisbet.  
*Shelby*—A. P. Longshore.

*St. Clair*—Jno. S. Maddox.

*Sumter*—A. J. Arrington, T. D. Beurdeaux.

*Talladega*—G. T. McElderry, W. T. Webb.

*Tallapoosa*—O. P. Dark, J. N. Dupree.

*Tuscaloosa*—Wm. G. Cochrane, N. N. Clements.

*Walker*—McPherson Cornelius.

*Washington*—H. M. Posey.

*Wilcox*—Wm. A. George, B. M. Miller.

*Winston*—Jno. C. Long—98.

#### OATH OF OFFICE.

The oath of office was then administered to the members of the house by the speaker.

#### SEATS.

Mr. White of Dallas, moved that a committee be appointed, consisting of one from each congressional district, whose duty it shall be to assign seats to the members.

Mr. Arrington moved to amend, by assigning seats as occupied by the several counties during last session to the same counties during this session.

Lost.

Mr. Clements moved to amend by requiring the committee to assign the seats by districts and counties as far as possible;

Which was adopted.

And the motion as amended was adopted.

The committee, as announced by the speaker under the above resolution, was—

1st District—Mr. Lay.

2d     "     "     Fitzpatrick.

3d     "     "     Simmons.

4th    "     "     White, of Dallas.

5th    "     "     Denson.

6th    "     "     Porter.

7th    "     "     Webb.

8th    "     "     Hundley.

Mr. Rabb offered the following resolution, which was adopted:

*Resolved*, That the rules of the last house be adopted for the government of the house until otherwise ordered.

Mr. Lay moved to adjourn until 8 o'clock this evening.

Mr. Clements moved to substitute 9 o'clock a. m. to-morrow.

Mr. Rabb moved to table the substitute.

Lost;

And Mr. Clements' substitute was adopted, and the house adjourned till 9 o'clock to-morrow morning.

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## SECOND DAY.

HOUSE OF REPRESENTATIVES,  
Wednesday, November 14, 1888.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Adams, of the House.

Present: Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Ratray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva.

The journal of yesterday was read and approved.

### LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Billingslea on account of sickness in his family.

### ELECTION OF OFFICERS.

The next business in order being the election of permanent officers of the house, the speaker announced that nominations for speaker were in order.

Mr. Lay placed in nomination Hon. C. C. Shorter of Barbour.

Those who voted for Mr. Shorter are:

Messrs. Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley,

Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Mosely, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Payne, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rat-tray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva.

Mr. Shorter having received all the votes cast was declared duly elected speaker of the house for the term prescribed by law.

On motion of Mr. White of Dallas, a committee of three were appointed by the speaker to notify Mr. Shorter of his election and to conduct him to the chair.

Committee—Messrs. White of Dallas, Lay and Hundley.

Mr. Shorter was conducted to the chair, and the oath of office was administered to him by the speaker.

Before taking his seat, Mr. Shorter addressed the House in a few timely and well chosen remarks.

The house then proceeded to the election of a clerk.

Mr. White, of Dallas, nominated Benj. F. Elmore, of Clarke.

Those who voted for Mr. Elmore are:

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancil, Maley, Meador, Miller, Mosely, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva.

Mr. Elmore having received all the votes cast, was declared duly elected clerk of the house for the term prescribed by law.

The House then proceeded to the election of an assistant clerk.

Mr. Pettus nominated A. H. Carmichael of Colbert.

Those who voted for Mr. Carmichael are :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva.

Mr. Carmichael having received all the votes cast was declared duly elected assistant clerk for the term prescribed by law.

The House then proceeded to the election of an engrossing clerk.

Mr. Adams nominated L. C. Ramsey of Macon.

Those who voted for Mr. Ramsey are :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva.

Mr. Ramsey having received all the votes cast, was duly declared elected engrossing clerk for the term prescribed by law.



The House then proceeded to the election of an enrolling clerk.

Mr. Pitts nominated F. W. Gist of Bibb.

Those who voted for Mr. Gist, are :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Duprée, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Mosely, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—92.

Mr. Gist having received all the votes cast was declared duly elected enrolling clerk for the term prescribed by law.

The House then proceeded to the election of a doorkeeper.

Mr. Arrington nominated Robert Hasson of Etowah.

Those who voted for Mr. Hasson are :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Bevis, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Files, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—89.

Mr. Hasson having received all the votes cast was declared duly elected doorkeeper for the term prescribed by law.



The House then proceeded to the election of an assistant doorkeeper.

Mr. Hundley nominated W. R. Christopher of Limestone.

Those who voted for Mr. Christopher are :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—94.

Mr. Christopher having received all the votes cast was declared duly elected assistant doorkeeper for the term prescribed by law.

The oath of office was then administered by the speaker to the several officers just elected.

Resolutions were offered and adopted as follows, by

Mr. Hundley—

*Resolved*, That the doorkeeper be authorized to purchase such supplies as may be necessary for the use of the house during its session.

By Mr. Ledyard—

*Resolved*, That the clerk of the house be instructed to inform the senate that the house of representatives is now permanently organized and ready for the transaction of business.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

I am directed by the senate to inform the house that the senate has perfected a permanent organization by the election of the following officers :

Hon. A. C. Hargrove, of Tuskaloosa, president.

Wm. L. Clay, of Madison, secretary.

D. W. McIver, of Macon, assistant secretary.

Miss Jem Weakley, of Lauderdale, enrolling and engrossing clerk.

James Armstrong, of Jackson, doorkeeper.

John Morrill, of Montgomery, assistant doorkeeper.

W. L. CLAY,  
Secretary.

Resolutions were offered and adopted as follows:

By Mr. Meador—

*Resolved by the house* (the senate concurring), That a joint committee of five, two on the part of the senate and three on the part of the house, be appointed to wait on the clergy of this city and invite them to attend and conduct religious services of the two houses at the morning sessions.

Committee on the part of the house: Messrs. Meador, Miller and Sowell.

By Mr. Hardy—

*Resolved by the house* (the senate concurring), That a committee of two from the house and one from the senate be appointed to wait on the governor and inform him that the general assembly of Alabama is now permanently organized and ready for the transaction of business, and to receive any communication he may have to send them.

Committee on the part of the house—Mess. Hardy and McElderry.

By Mr. Denson—

That the doorkeeper shall obtain from the secretary of State, for each member of the house, a copy of the civil and criminal Code of 1886, and a copy of the Acts of the legislature of 1886 and 1887, for their use during this session of the legislature, and it shall be the duty of the doorkeeper to return the Codes and Acts after the final adjournment of the legislature.

By Mr. Pettus—

That the standing committee on rules shall consist of five members and the speaker, of which the speaker shall be chairman; that said committee be instructed to report to the house, at the earliest practicable time, rules for the government of the house, and what changes, if any are necessary, in the number of the standing committees of the house or in the number of members of any committee, and that said committee be appointed by the speaker.

By Mr. Wiley—

That the doorkeeper shall have authority to appoint an attendant for the gallery, at a salary of \$2.50 per day.

By Mr. Patton—

That the doorkeeper be instructed to procure keys for the desks.

MESSAGE FROM THE SENATE.

*Mr. Speaker—*

The senate has concurred in the house joint resolution in regard to the appointment of a committee to wait upon the governor, and has appointed on the part of the senate Mr. Browne, of Talladega.

Also, has concurred in the house joint resolution in regard to the clergy of the city opening the services with prayer.

Committee on part of the senate—Messrs. Huey, of Hale, and Steagall of Henry.

And has adopted the following joint resolution:

*Resolved*, That a joint committee of five, two from the senate and three from the house, be appointed to propose and report joint rules for the two houses of the general assembly.

Committee on the part of the senate—Messrs. Bulger and Burnett.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate joint resolution, just received, that a committee of five, three from the house and two from the senate, be appointed to report joint rules for the two houses, and the speaker appointed the following committeemen on the part of the house:

Messrs. Clements, Stone and Wiley.

The speaker announced the following committee on rules for the house:

Messrs. Speaker, Stansel, Lay, White of Dallas, Hundley and Pettus.

The speaker appointed the following officers:

Messenger—Buford Hobdy, of Bullock.

Pages—Nathan B. Burton of Montgomery, G. T. Long, Jr., of Barbour, Crowell Broadnax of Conecuh.

Mr. Hundley filed with the house a notice of contest for

the seat of E. R. Richardson, from Franklin county, by W. P. Jost.

Mr. Hardy, from the committee to notify the governor of the permanent organization of the house, reported, and the committee was discharged.

MESSAGE FROM THE GOVERNOR.

*Mr. Speaker:*

I am directed by his excellency, the governor, to communicate to the house a message in writing.

J. K. JACKSON,  
Private Secretary.

GOVERNOR'S MESSAGE.

*Gentlemen of the Senate and House of Representatives:*

I herewith transmit to you the report of Mr. John H. Caldwell, who has been acting as the agent of the State in the enforcement of the claims of the State of Alabama against the United States for what is known as the five per cent. fund, or the two and three per cent. fund of the net proceeds of lands lying within the State and sold by act of congress.

Subdivision 3 of section 6 of the act for the admission of Alabama, passed March 2, 1819, read as follows:

Third. That five per cent. of the net proceeds of the lands lying within the said territory, and which shall be sold by congress, from and after the first day of September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, and improving the navigation of rivers, of which three-fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said State, under the direction of congress.

At the time I came into office this claim of the State was being resisted by the United States government on the ground that the State of Alabama was indebted to the United States in the sum of five hundred and twenty-nine thousand, three hundred and thirteen dollars and thirty-three cents on account of the direct tax which in the year 1861 had been apportioned by the government of the United States to the several states as a war tax. This was the amount which had been apportioned to Alabama, and which,

as was well known, had never been actually paid by the State, and the authorities at Washington held this amount of \$529,313.33 to be a set-off against the fund which had accumulated and was accumulating under the act of admission.

By virtue of the act of the legislature, approved February 23, 1887, I made a contract with Mr. John H. Caldwell, who had been previously acting as agent under contract with my predecessors, governors Cobb and O'Neal, for the further prosecution of this claim.

The State, through its agent and by counsel, instituted proceedings against the United States, and these proceedings were prosecuted with varying fortunes until finally an adjudication was held by the supreme court of the United States favorable to the claim of the State. The decision was rendered on the 24th day of October, 1887, and since that time there has been covered into the State treasury on account of this fund the sum of \$33,119.90. The contract with the agents of the State was directed by an act of the legislature to be made contingent on the success of the proceedings and following the terms established by my predecessors, and approved by my judgment, was fixed at 25 per cent. of the amount realized, the agent paying all expenses of the litigation. There will be covered into the State treasury in a few days an additional sum representing the net proceeds of the 5 per cent. fund, the sale of public lands for the year ending June 30, 1888.

The result of this contract has been the realization of three-fourths of the accumulated fund and the removal of a formidable set-off of over a half a million of dollars claimed by the United States government. Hereafter the accruing proceeds under the act of admission will be covered into the State treasury without any expenses whatever, and there is no further legislation necessary for the purpose of continuing the benefits to which the State is entitled under the act of admission.

The report of the agent, Mr. Caldwell, covers these transactions and also the prosecution of the claim of the State for the swamp and overflowed lands, and gives valuable information as to the claim of the State for indemnity for school lands in the place of the sixteenth section lost by reason of private claims, pre-emption, Indian claims, or where the sixteenth section is wanting by reason of State boundaries, rivers, etc., and these latter matters I expect to make the

subject of a special message to you before your final adjournment.

#### INSANITY.

I think there should be some legislation at this session which will give better security to the community against the crimes of the insane or the alleged insane. Whenever it is recalled that the principal object of human punishment is the preservation and advancement of society it is easy to become reconciled to the confinement of those insane people who have at any time in their lives shown that their going at large is a menace to society.

Lofty speculations concerning the diseases of the mind are entertaining and instructive, and are truly calculated to ameliorate the condition of the afflicted, but the immediate protection of the innocent and the preservation of the social order are weightier considerations. I should be satisfied to return in criminal administration to the ancient inquiry as to whether the person charged with crime knew right from wrong; but if this rule shall appear to be harsh I earnestly recommend the passage of a law which shall more effectually secure the courts and country against imposition by false and desperate pleas of insanity.

#### APPEALS IN CRIMINAL CASES.

I have long thought that the delays incident to criminal administration are unworthy of our civilization. The court below, on the trial of any considerable case, presents usually a spirited and brilliant trial of legal hermeneutics between the counsel for the state and the learned counsel for the criminal. On each and every pertinent issue presented by the counsel, the circuit judge must then and there, without an opportunity to investigate, decide, and all the questions, whether merely technical or meritorious, may become, and do generally become, a part of the record for the review of the appellate court. Necessarily in our system there must continue to be very many reversals of causes in cases where the merits of the issue are not even in a remote degree affected by the particular point on which the case was reversed. It is alleged that a great lawyer once used this language:



"An advocate, in the discharge of his duty, knows but one person in all the world, and that person is his client. To save that client by all means and expedients, and at all hazards and costs to other persons, and among them to himself, is his first and only duty, and in performing this duty he must not regard the alarm, the torments, the destruction, which he may bring upon others. Separating the duty of a patriot from that of an advocate, he must go on, reckless of consequences, though it should be his unhappy fate to involve his country in confusion."

And while this disgraceful doctrine has never been accepted by an honorable profession, yet it is well known that the zeal of counsel is usually very great. All the meritorious points are reasonably certain to be made in behalf of the defendant by his counsel, and yet section 4059 of the Code affirms that no assignment of error or joinder in error is necessary, and requires the supreme court in effect to search the record for a reversible error. I recommend the repeal of this section of the Code.

Further, I do not think that the supreme court should be required to reverse a judgment in any case unless a majority of the judges should be of the opinion that the defendant is on the evidence presented in the record entitled on the merits to a new trial. I know that such a law would crowd the record with substantially all the testimony taken in the trial in the court below, and to this extent would increase the labor of our already overworked appellate court, but the evil which such legislation would remedy is so great that I think this additional labor might reasonably be required; indeed in the long run, in the suppression of unmeritorious appeals, it might be found to lessen the work of reviewing criminal cases.

THOMAS SEAY.

The message from the governor was read.

Mr. Hundley moved that 500 copies of the governor's message be printed for the use of the house. The motion was adopted.

Mr. Lewis offered the following resolution, which was lost :

*Resolved*, That the governor's message be referred to a committee of five, with instructions to parcel out to the respective committees (when raised) the different subjects contained in said message.

On motion of Mr. McLeod the house adjourned till 10 o'clock to-morrow morning.

### THIRD DAY.

HOUSE OF REPRESENTATIVES,  
Thursday, November 15, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva.

Mr. Knight offered the following resolution :

*Resolved*, That a committee of three be appointed to wait on our distinguished senator, Jno. T. Morgan, and extend to him the courtesies of the house; and that during the senator's presence the house take a recess.

Mr. White of Dallas offered the following as a substitute, which was adopted :

*Resolved*, That the courtesies of the floor be extended to senator Jno. T. Morgan during his stay in Montgomery.

On motion of Mr. Hundley, the vote by which Mr. Lewis' resolution of yesterday relative to parceling out the Governor's message to a committee of five was lost, was reconsidered, and then on motion of Mr. Hundley said resolution was adopted.



## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has adopted the joint resolution herewith sent in relation to the 2 and 3 per cent. fund.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The joint resolution was concurred in, and the speaker appointed the following committee on the part of the house:

Messrs. Clements, Stone and Rabb.

Mr. Davie offered the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed to wait upon Senator Morgan and ask at what time it will be convenient for him to appear before the house and deliver an address.

The committee consisted of Messrs. Davie, Hardy and Denson.

Mr. Lay offered the following resolutions, which were adopted:

*Resolved by the House*, (the senate concurring:)

That the two houses of the general assembly shall meet on Friday, the 16th day of November, at 11 o'clock, a. m., in the hall of the house of representatives for the purpose of opening the returns and counting the vote of the late general election for governor and other state officers.

*Resolved*, That the enrolling and engrossing clerks, shall assist the clerk when not engaged in the discharge of their respective duties.

Mr. Wiley offered the following resolution:

*Resolved*, That the call of counties for the introduction of bills be postponed until after the committees of the house are announced by the speaker.

Mr. Lay offered the following as a substitute, which was lost:

*Resolved*, That the rule requiring bills to be referred to committee on first reading, be suspended till the appointment of the standing committees, and all bills introduced

before the appointment of the standing committees, be read a second time on the day after their introduction.

The resolution of Mr. Wiley was then adopted.

The speaker appointed the following committee from the house, as provided by section 34 of the Code of Alabama :

Messrs. Lay, Cunningham and White of Dallas.

Mr. Lowe offered the following resolution, which was lost :

*Resolved*, That the clerk of the house be authorized to employ such additional clerical force in his office as he may deem necessary.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has adopted the joint resolutions herewith sent in relation to the appointment of a special committee to rearrange the dates of the terms of the chancery court of the southwestern chancery division of Alabama.

Also,

To consider legislation necessary to relieve the crowded dockets of the courts of the 7th circuit.

W. L. CLAY,  
Secretary

#### MESSAGE FROM THE SENATE.

The senate joint resolution on arranging the dates of the terms of the south western chancery division was concurred in.

Committee on the part of the house—Messrs. Pitts, Lay and Cochran.

Also,

The senate joint resolution to consider legislation necessary to relieve the crowded dockets of the 7th judicial circuit was concurred in.

Mr. Hundley offered a resolution as follows, which was adopted :

*Resolved*, That 250 copies of the rules of the house, when reported, and 200 copies of the list of standing committees, when appointed, be printed ; and that the doorkeeper be directed to have a copy of said rules and list, when printed, laid on the desk of each member of the house.

Mr. Meador offered the following resolution, which was laid on the table :

*Resolved*, That five hundred copies of the governor's message be published for the use of the house, in addition to the number already ordered.

The following resolution by Mr. Lee, was adopted :

*Resolved*, That a committee of three be appointed from the house, to wait upon the governor's private secretary, or other person having the custody of the capitol, and request him to have the interior and exterior arrangement of this hall, and cloak room put in more perfect order for the convenience, comfort and health of the members.

Mr. Speaker, from the committee on rules, submitted the following report and rules for the government of the house, which were received and adopted :

*Mr. Speaker :*

The committee on rules submit the following rules for the government of the house, viz :

#### RULES.

RULE 1. The Speaker shall take the chair every day at the hour fixed on the preceding adjournment; shall immediately call the members to order, and on the appearance of a quorum, cause the journal of the preceding day to be read.

2. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his chair for that purpose. He shall decide questions of order, subject to an appeal to the house, at the request of any member; which appeal shall be decided without debate.

3. He shall rise to put a question, but may state it sitting. All questions shall be distinctly put in this form, viz : "Those in favor of (as the question may be,) say aye;" and after the affirmative voice is expressed, "those opposed to the motion say no." If the Speaker doubts, or a division is called for, the house shall divide. Those in the affirmative of the question shall rise from their seats; and afterwards those in the negative.

4. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. Whenever he is sick, or otherwise providentially unable to attend, or necessarily absent, the house shall elect a speaker pro tem, who shall discharge the duties of speaker till his return and no longer.

5. Fifteen members shall have power to send for absent members or to move a call of the house; but no call of the house shall be made except on the concurrence of a majority of the members present. A majority of the house shall be a quorum to transact business.

6. When any member is about to speak or deliver any matter to the house, he shall rise from his seat and respectfully address himself to the speaker.

7. If any member, in speaking or otherwise, transgress the rules, the speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the house shall, if appealed to, decide on the case without debate. If the decision be in favor of the member so called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the house.

8. When two or more members happen to rise at the same time, the speaker shall name the person who is first to speak.

9. No member shall speak more than twice to the same question without leave of the house, unless he be the mover or chairman of the committee proposing the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

10. Upon the call of the house for taking the ayes and noes on any question, names of the members shall be called alphabetically, and each member shall answer from his seat.

11. When any question is taken by ayes and noes, and a member who has been absent returns before the question is decided, he shall be privileged to make inquiry of the subject before the house, and record his vote without discussion.

12. When a motion is made, it shall be stated by the speaker; or if in writing, shall be read aloud by the clerk; and every motion shall be reduced to writing if the speaker or any member request it.

13. Any member may call for a division of the question, when the sense will admit of it.

14. Members shall particularly forbear personal reflections; nor shall any member name another in argument or debate.

15. After a motion is stated by the speaker, or read by the clerk, it shall be deemed in possession of the house, but may be withdrawn by leave of the house, at any time before decision.

16. When a question is before the house, motions may be

received in the following order, to-wit : 1st. To fix the time to which the house shall adjourn. 2d. To adjourn. 3d. To lay on the table. 4th. For the previous question. 5th. To postpone to a certain day, not beyond the probable duration of the session. 6th. To commit. 7th. To amend. 8th. To indefinitely postpone.

17. A motion to adjourn shall always be in order, even in the absence of a quorum.

18. When a vote has passed, except on the previous question, or on motions to lay on the table, or to take from the table, it shall be in order for any member who voted with the majority to move for a reconsideration thereof on the same day, or within one hour after reading the journal on the succeeding day, and such motion, if made on the same day, shall be placed first on the orders of the day for the day succeeding that on which it is made, unless the mover desires present consideration ; but if first moved on such succeeding day, it shall be forthwith considered ; and when a motion for reconsideration is decided, that decision shall not be reconsidered, and no question be twice reconsidered : Provided, however, that a motion to reconsider a vote, upon any incidental or subsidiary question, shall not remove the main subject under consideration from the house, but shall be considered at the time when it is made.

19. No bill or joint resolution of this house shall be sent to the senate (unless by special order of the house,) until the time allowed for the last preceding rule for reconsideration shall have passed.

20. The previous question shall be in the following form : "Shall the main question be now put?" If demanded by a vote of a majority of the members present, its effect shall be to cut off all debate and bring the house to a direct vote, first upon the pending amendments, if there are any, in their order, and then on the main question, but the mover of the question, or the chairman of the committee having charge of the bill or resolution, shall have the right to close the debate, after the call of the previous question has been sustained, for not more than fifteen minutes.

21. The speaker shall appoint all committees unless otherwise directed by the house ; Provided, however, a majority of each committee shall constitute a quorum. And the following shall constitute the standing committees of the house, to be composed of thirteen members each :

1. Judiciary. 2. Revision of laws. 3. Ways and means.
4. Education. 5. Agriculture.

The following, composed of eleven members each :

6. Commerce and common carriers.
7. Privileges and elections.
8. Penitentiary and criminal administration.
9. Mining and manufacturing.
10. Appropriations.
11. Corporations.
12. Temperance.
13. Public health.
14. Counties and county boundaries.
15. Local legislation.
16. Public roads and highways.
17. Federal relations.
18. Public buildings and institutions.
19. Immigration.

The following, composed of nine members each :

20. Military.
21. Accounts and claims.
22. Fees and salaries.
23. Public printing.

The following, composed of seven members each :

24. Engrossed bills.
25. Enrolled bills.
26. Rules, composed of five members, with the speaker as chairman.

22. In the appointment of a committee to visit any public institution of the State, no representative who is a resident of an adjoining county, shall be appointed on such committee.

23. Every member may be required to vote on any question before the house. When the ayes and noes are desired, the speaker shall be first called, and if the house be equally divided, the question shall be lost.

24. No member shall absent himself from the session of the house, unless he have leave, be sick, or unable to attend.

25. The following shall be the order of business in the house :

1. Reading of the journal of preceding day.
2. Reports of committees on engrossed and enrolled bills, but these committees may report at any time.
3. Senate messages ; provided that whenever any message is received, notifying the house of the passage of senate bills,

the clerk shall, immediately after the passage is read, proceed to read the bills by their titles, (unless the reading be called for by some member, in which event the bill shall be read at length), and referred forthwith to a committee. The house shall then proceed with the business upon which it was engaged when the message was received.

4. The unfinished business in which the house was engaged at its last adjournment.

5. The call of counties in alphabetical order for bills, resolutions, memorials and petitions. If in any one day the call has not been completed by the hour of 12 m., the speaker shall begin on the next day, where he left off the preceding day.

When the hour of 12 m. arrives, or before that hour, if the call of the counties has been completed, business shall proceed in the following order :

1. Reports of standing committees, for bills which they have reported favorably, which shall forthwith be read by their titles a second time and entered on the calendar in the order in which they were read a second time. In the call of committees the speaker shall call them in their order. If the speaker should not get through, the call of committees before the house passes to other business, he shall resume next call where he left off.

2. Executive messages shall have priority over other business, and as soon as received they shall be read by the Clerk, and a proper disposition be made of them ; and the house shall thereupon proceed with the business engaged in when interrupted by the executive message.

3. If there are any bills on the calendar they shall be taken up at 1 p. m. on each day, unless reached earlier ; and no bill on the calendar shall be taken up out of its order, except by a vote of two-thirds of its members.

4. Miscellaneous business.

26. The House may, by a vote of two-thirds of the members present, suspend the consideration of any regular or special order, for the purpose of taking up another matter, and when that is disposed of, the consideration of the suspended order shall be resumed.

27. Any matter may, by a vote of the majority of the members present, be made the special order for any hour, which shall take the precedence, at that hour, of any other business except a motion to reconsider.

28. When a committee has decided adversely to any bill or resolution, such action shall not be reported to the



House, but such bills shall forthwith be returned to the clerk, who shall note the unfavorable report on the docket or register of bills. Any member may call for any such bill under adverse report when the same may, by leave of the House, be read by its title a second time, and placed on the calendar. Such call shall only be in order on any day, immediately after the call of the standing committee, which acted on said bill.

29. Upon the introduction of any bill, or when Senate bills are first acted on, the same shall be read by its title, unless the reading be called for by some member, when it shall be read at length, and upon such reading at length, or by its title, the bill so read shall be referred to a committee without a vote being taken, unless objected to, and in that event the question of reference shall be put to the House; and no bill shall be ordered to a second reading till reported back from a committee.

30. Bills, motions and reports may be committed or re-committed at the pleasure of the House.

31. Every bill shall, on its first reading, be committed to a standing committee, a select committee, or committee of the whole house; but committent to one shall not preclude the committent to either of the others, and on re-commitment shall be open to amendment.

32. No special committee shall report but upon leave granted by a vote of the house, except committees of inquiry, which may report at any time.

33. All bills shall be dispatched in order as they are introduced, unless when the house otherwise direct.

34. When a bill shall pass it shall be certified by the clerk, noting the date of its passage at the foot thereof.

35. The house may resolve itself into a committee of the whole when deemed necessary; and the rules of proceeding in the house shall be observed in committees, as far as may be applicable, except that number of times of speaking and putting the previous question, shall not be applicable in committee.

36. In forming a committee of the whole house, the speaker shall leave his chair, and a chairman to preside in committee shall be appointed by the speaker.

37. Upon a bill being committed to a committee of the whole house, the same shall be first read throughout by the clerk, and then again be read and debated by clauses, leaving the preamble to be the last considered. After the



report the bill shall again be subjected to debate and amendment by clauses, before the question for engrossing be taken.

38. On all questions of filling blanks, the largest sum and most remote day shall first be put.

39. Whenever it shall be necessary for a communication to be made from the house of representatives to the senate, it shall be under the signature of the clerk.

40. No committee shall sit during the sitting of the house without special leave.

41. No bill or joint resolution shall be received, unless written on an entire sheet of paper, with the caption endorsed.

42. After a vote has been ordered upon any question, no member shall be permitted to explain his vote without leave of the house.

43. When house bills are signed by the speaker, thereupon the clerk must, by message, notify the senate and request the signature of the president of the senate to said bills.

44. The name of the member who introduces a bill or joint resolution shall be by him endorsed upon the same, and shall be inscribed by the clerk upon the engrossed and enrolled copies when transmitted to the senate or the governor.

45. In appointing a committee from the several subdivisions of the state, the speaker shall designate who shall be chairman of such committee.

46. No person shall be allowed to smoke within the house lobby or gallery.

47. All bills for amendment to any section or part of the Code, in which the subject matter is stated in the title by reference to the section or other sub-division of the Code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or sub-division relates.

48. The speaker shall, whenever he deems it necessary for the speedy dispatch of business, order the calendar printed for the use of members.

49. When the chairman of a committee is sick or absent, the member whose name appears second on the committee shall, during the absence of the chairman become chairman, and have power to call together the committee for consideration of bills.

50. None of the foregoing rules shall be rescinded, with-

out one day's notice of the motion thereof being given; and a violation of either of them may be punished by such censure as a majority of the house may direct.

51. The tabling of any amendment or subsidiary motion, shall not have the effect of carrying with it the original bill or proposition.

Your committee has made but few changes in the rules of the house—one of which is to create a committee on public health, to be composed of eleven members. Your committee thought that the recent epidemic within our borders, and the possible changes to be made in our quarantine laws, rendered necessary the raising of a committee whose duty it shall be to give its entire attention to our laws relating to the general health laws of this State.

Your committee has raised the numbers of members upon the following committees from eleven to thirteen:

Judiciary; revision of laws; ways and means; education; agriculture, and has increased immigration committees from 9 to 11.

All of which is respectfully submitted.

C. C. SHORTER,  
Chairman.

Mr. Webb offered a resolution that when the house adjourn on November 16th, it stand adjourned until 10 o'clock, a. m., November 19th, which, after discussion, was withdrawn.

On motion of Mr. White, of Dallas, the house adjourned till 10 o'clock to-morrow morning.

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## FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
Friday, Nov. 16th, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Den-

son, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

Journal of yesterday was read and approved.

Leave of absence was granted Messrs. Lee, Rabb, King, and Russell till Monday morning next.

Mr. Davie, from the committee to invite Senator Morgan to deliver an address to the house, reported that Senator Morgan would address the house on Monday next at 12 m. in the hall of the house.

On motion of Mr. White, of Dallas, the report was received and adopted, and the committee was discharged.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the joint resolution in reference to counting the vote for State officers.

W. L. CLAY,  
Secretary.

#### STANDING COMMITTEES.

The speaker announced the following standing committees of the house for 1888 and 1889, viz:

*Judiciary*—Messrs. Pettus, Stone, Hundley, Wiley, Denison, Pitts, Benners, White, of Dallas, Rabb, Cochrane, Smith, Porter, Wolff.

*Revision of Laws*—Messrs. Stansel, Paine, Hogue, Lewis, Longshore, Winston, Lowe, Fitzpatrick, Miller, Sowell, McLeod, Henderson, Mancill.

*Ways and Means*—Messrs. Lay, Watters, Clements, Cunningham, Patton, Smisson, Moseley, Meador, Webb, Lewis, Hardy, George, Barnett.

*Education*—Messrs. Fitzpatrick, McElderry, Rattray, Led-

yard, Stansel, Hampton, Kyle, McLeod, McLendon, Williams, Billingslea, Stowers, Carter.

*Agriculture*—Messrs. Nisbet, Webb, Watters, Hampton, Bush, Posey, Ward, Patton, Powell, Barnett, Knight, Lee, Adams.

*Commerce and Common Carriers*—Messrs. Hundley, Denson, Sowell, Lewis, Bevis, Cochrane, White, of Geneva, Hogue, Benners, Bush, Anderson.

*Privileges and Elections*—Messrs. Pitts, Stone, Wiley, Wolff, Davie, Bogart, Billingslea, Mancill, Rattray, Ward, Dark.

*Penitentiary and Criminal Administration*—Messrs. Knight Porter, Watters, Powell, Ledyard, Pratt, Smisson, Arrington, Brown, Watson, Cunningham.

*Mining and Manufacturing*—Messrs. Clements, Pratt, Carter, Walker, Williams, Bush, Brown, Longshore, Cornelius, Weaver, Adams.

*Appropriations*—Messrs. White, of Dallas, Rabb, Cochrane, Bogart, Darby, Stowers, Pratt, George, Meador, Anderson, Posey.

*Corporations*—Messrs. Lowe, Pitts, Bradley, Bevis, Miller, Paine, Kyle, Kemp, NeSmith, Long, King.

*Temperance*—Messrs. Lee, Russell, Blevins, Adams, Dupree, Weaver, Stowers, McLendon, Cornelius, Nelson, Tatum.

*Public Health*—Messrs. Davie, Hampton, Russell, Smisson, Hardy, Bordeaux, Lee, McRee, Bradley, Williams, Files.

*County and County Boundaries*—Messrs. Johnson, Smith, McElvey, Posey, Winston, Maddox, Weaver, Anderson, Cornelius, Higgins, Long.

*Local Legislation*—Messrs. Watson, Simmons, Bordeaux, Darby, Billingslea, Davie, McRee, Kyle, Knight, Allen, Clark.

*Public Roads and Highways*—Messrs. McElderry, Kemp, Nelson, Maley, Parker, Wade, White, of Geneva, Brown, Curtis, Richardson, French.

*Federal Relations*—Messrs. Porter, Russell, Simmons, Nelson, Paine, Mosely, Wade, Parker, NeSmith, Dykes, French.

*Public Buildings and Institutions*—Messrs. Arrington, McElvey, Parker, Bevis, McElderry, Clements, Fitzpatrick, Walker, Clark, Summers, Files.

*Immigration*—Messrs. Webb, Maddox, Mancill, White, of

Geneva, Walker, Meador, Blevins, Allen, Richardson, Curtis, Dykes.

*Military*—Messrs. Ledyard, George, Lowe, Hardy, Barnett, Ward, Moseley, Summers, Tatum.

*Accounts and Claims*—Messrs. Cunningham, Bogart, Simmons, Nisbet, Wade, Rattray, Patton, NeSmith, Johnson.

*Fees and Salaries*—Messrs. Wiley, Hogue, Henderson, Stone, Maley, Bordeaux, Carter, Dark, Watson.

*Public Printing*—Messrs. Rabb, Kemp, Winston, Maddox, Dupree, Sowell, Blevins, Higgins, King.

*Engrossed Bills*—Messrs. Smith, Henderson, Arrington, Bradley, Dark, Darby, Maley.

*Enrolled Bills*—Messrs. Miller, McRee, Johnson, McLendon, Longshore, Nisbet, McElvey.

*Rules*—Messrs. Speaker, Stansel, Lay, White, of Dallas, Hundley, Pettus.

Mr. Clements, from the committee of joint rules, submitted the following joint rules, and the report was concurred in :

JOINT RULES OF THE TWO HOUSES OF THE GENERAL ASSEMBLY  
OF ALABAMA.

1. Upon the reception of a message from either house notifying the other of the originating and passing of bills, the secretary or clerk, as the case may be, shall, immediately after the message is read, proceed to read the bills by their titles unless the reading be called for by some member, in which event the bill shall be read at length, and it shall be ordered forthwith to a second reading, or referred to a committee. The house or senate, as the case may be, shall then proceed with the business upon which it was engaged when the message was received.

2. When house or senate bills are signed by the speaker or president of the senate, thereupon the clerk or secretary, as the case may be, shall notify the other house, and request the signature of the presiding officer to the same ; and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the house or senate, as prescribed by the constitution.

3. That no local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the constitution and laws has been given, and submits the proof thereof with the bill.

4. Bills affecting individuals or private corporations are local or special bills within the meaning of the preceding rule 3, but said rule does not apply to bills relating to public or educational institutions of, or in this State, or to industrial, mining, immigration, or manufacturing corporations, or interests, or to corporations for constructing canals, or improving navigable rivers and harbors of this State; nor to bills which apply to all persons within the territorial limits to be affected thereby, and general in their application to the class or locality.

5. All bills for amendment to any section or part of the Code, in which the subject matter is stated in the title by reference to the section or other sub-division of the Code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or sub-division relates.

Mr. Meador, from the joint committee to invite clergy of the city to open morning sessions with prayer, made a report, and the committee was discharged.

#### CALL OF THE COUNTIES.

Bills were introduced by Mr. Denson—

H. B. 1. To repeal an act entitled an act to confer additional jurisdiction upon the the county court of Chambers county, and to regulate the proceedings therein, approved February 26th, 1887; and to provide for the disposition of certain cases now pending in the county court of Chambers county;

Also,

H. B. 2 To regulate the time of holding the circuit courts in the fifth judicial circuit of Alabama.

By Mr. Rattray—

H. B. 3. To repeal an act entitled an act to charter a ferry across Coosa river at or near Cedar Bluff, in Cherokee county, approved February 18th, 1867;

Also,

H. B. 4. Authorizing the payment of fines and forfeitures with certain claims, in Cherokee county.

By Mr. Leod—

H. B. 5. To form a separate school district, to be known as the Salitpa school district, in Clarke county, Alabama.

By Mr. Nelson—

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and

Coosa counties, and to authorize an election thereon, approved February 26th, 1887, so that it shall not apply to resident citizens of Clay county, Alabama, nor to stock belonging to resident citizens of said county;

Also,

H. B. 7. To provide for the election of the county superintendent of education by the qualified voters of Clay county, Alabama.

By Mr. Simmons, (accompanied with notice and proof.)

H. B. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain lands lying and being in said county,

Also, (with notice and proof.)

H. B. 9. To authorize Mrs. Francis Churchwell, widow of David Churchwell, deceased, late of Coffee county, to sell the lot on which they were living at the time of his death, with three vacant lots, in the town of Elba, Alabama.

By Mr. Summers—

H. B. 10. To amend the charter of the Sheffield and Tusculumbia Street Railway Company.

By Mr. Hardy—

H. B. 11. To repeal an act entitled an act to provide for the more efficient working of the public roads in Dallas county.

By Mr. White of Dallas—

H. B. 12. To amend section 4451 of the Code;

Also (by request),

H. B. 13. To provide for funding and paying the legal debts of the city of Selma, created prior to December 6, 1875.

By Mr. Pettus—

H. B. 14. For the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same, which have been or may be hereafter patented to this State;

Also (with notice and proof),

H. B. 15. To amend and ratify the charter of the Selma Land, Improvement and Furnace Company.

By Mr. Parker—

H. B. 16. To repeal an act entitled "an act to regulate the trials of misdemeanors in the county of Elmore, approved February 24th, 1887," and to provide for the disposition of certain cases now pending in the county court of Elmore county.



By Mr. Wade—

H. B. 17. To incorporate the Noccoalula Female Seminary in the City of Gadsden, Alabama.

By Mr. Ward—

H. B. 18. To authorize the county of Henry to borrow money and to issue bonds for the purpose of building a court house and jail for the use of said county at Abbeville, Alabama.

By Mr. Bogart—

H. B. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away or otherwise disposing of, for gain, spirituous, vinous or malt liquors or intoxicating bitters, and the manufacture thereof, within the county of Jackson.

The foregoing bills were severally read a first time and referred to appropriate committees, as follows:

House bills 1, 2, 8, 9, 12, 13, 14, 15, to judiciary.

House bills 4, 7, 16, to revision of laws.

House bills 3, 6, 18, to local legislation.

House bills 5, 17, to education.

House bill 19, to privileges and elections.

House bill 10, to corporations.

House bill 11, to public roads and highways.

On motion the house took an informal recess of fifteen minutes to allow the door keeper to provide seats for the senate.

On motion of Mr. Pettus, the clerk was instructed to invite the senate to meet with the house in joint convention to witness the opening, counting and proclaiming of the vote cast for the executive officers of the State, on Monday, August 6th, 1888.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,  
OFFICE OF THE GOVERNOR,  
MONTGOMERY, November 16, 1888.

*Mr. Speaker:*

I am directed by his excellency, the governor, to communicate to the house a message in writing.

Respectfully,

J. K. JACKSON,  
Private Sec'y.

*Mr. Speaker:*

I deliver to you, by the hands of the private secretary,



unopened, the certificates of the board of supervisors of election, as to the election for governor, secretary of State, auditor, treasurer, superintendent of education and attorney general, which have been received at this office.

Respectfully,

THOS. SEAY.

#### JOINT CONVENTION.

The hour of 11 o'clock, a. m., having arrived, the general assembly of Alabama assembled in the hall of the house of representatives to witness the opening, counting and proclaiming of the votes cast for executive officers of the State on the first Monday in August, 1888.

The joint convention was called to order by the Hon. A. C. Hargrove, president of the senate, who directed the secretary of the senate to call the roll, when the following senators answered to their names:

Mr. President, Almon, Branch, Brewer, Browne, Bulger, Burnett, Clanton, Compton, Cowan, Godfrey, Graham, Grant, Handley, Haralson, Harris, Hayes, Huey, Lang, Milner, Parker, Parks, Rumph, Skeggs, Smith, Stallworth, Steagall, Tayloe, Waddell, Williams—31.

The speaker of the house then directed the clerk of the house to call the roll of the House, when the following representatives answered to their names:

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denison, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

The president of the senate announced that there was a quorum of the two houses present, and the purpose of the joint convention was to open, count and proclaim the result

of the election held on the first Monday in August, 1888, for executive officers of the State.

The speaker of the house then proceeded to open and publish, in the presence of both houses of the general assembly, in joint convention, the returns of the election held on the first Monday in August, 1888, for executive officers of the State of Alabama, as follows:

## OFFICIAL VOTE OF ALABAMA—AUGUST, 1888.

COUNTIES.	FOR GOVERNOR.				FOR SECRETARY OF STATE.			
	Thomas Seay.	W. T. Ewing.	J. W. Orr.	R. Brinson.	C. C. Langdon.	R. P. Baker.	J. J. Woodall.	L. C. Coulson.
Autauga	1158	190			1158	190		
Baldwin	1066	485			1063	19	465	
Barbour	4756	160			4702	195		
Bibb	1840	404	4		1845	399		8
Blount	2388	462	1		2385	463		
Bullock	1939	352			1966	352		
Butler	2187	1673	12	10	2234	1674		5
Calhoun	3969	855			3356	849		
Chambers	2133	1602			2132	1602		
Cherokee	2972	219	4		2984	219		4
Chilton	1799	465			1798	466		
Choctaw	961	38			961	38		
Clarke	2199	986			2001	929		
Clay	1690	406			1803	405		
Cleburne	1427	56			1435	56		
Coffee	1938	26			1940	26		
Colbert	1394	1458	3		1392	1459		1
Conecuh	1252	725			1256	726		
Coosa	1558				1626			
Covington	1349	52			1351	52		
Crenshaw	2122	349			2138	349		
Cullman	1146	560	1		1139	557		
Dale	2285	61			2290	61		
Dallas	9084	672			9067	672	1	
DeKalb	1686	450			1651	425		
Elmore	1962	1547			1933	1558		
Escambia	837	343			836	308	71	
Etowah	2484	813			2503	791		
Fayette	1403	341			1415	341		
Franklin	1417	244	9		1419	244		9
Geneva	1480				1479			
Greene	1625	774			1596	789		
Hale								
Henry	4091	29			4091	29		
Jackson	2736	1383	14		2732	1353		
Jefferson	7426	2904	76		7427	3007		68
Lamar	1926	330			1946	321		
Lauderdale	2202	9			2194	7		
Lawrence	1701	1736	5		1691	1743		2
Lee	2155	1117			2170	1106		
Limestone	2029	63	34		2028	64		17
Lowndes	4413	1496			4413	1498		
Macon	1370	334			1378	385		
Madison	3144	2328			3142	2320		
Marengo	4073	667			3895	667		
Marion	1316	299			1317	299		
Marshall	2163	249	11		2153	230		

## OFFICIAL VOTE OF ALABAMA—AUGUST, 1888.

FOR ATT'Y GEN'L.			FOR AUDITOR.			FOR TREASURER.				FOR SUPT OF ED'TION.			
T. N. McClellan.	N. B. Mardis.	G. H. Craig.	C. D. Hogue.	R. S. Heflin.	M. C. Wade.	John L. Cobbs.	S. T. Fowler.	C. W. Buckley.	A. H. Thompson.	Solomon Palmer.	L. J. Standifer.	J. M. Clarke.	W. C. Denson.
1158	190	...	1158	190	...	1157	190	...	...	1158	190	...	...
1064	146	338	1061	484	...	976	19	439	...	1062	18	464	...
4711	195	...	4707	195	...	4742	190	...	...	4707	195	...	...
1839	401	...	1845	399	8	1842	399	...	8	1842	394	...	8
2386	443	...	2389	462	...	2319	463	...	...	2348	462	...	...
1967	352	...	1969	352	...	1968	352	...	...	1968	352	...	...
2235	1665	...	2234	1612	5	2230	1672	...	5	2228	1669	...	5
3344	848	...	3350	845	...	3355	850	...	...	3343	851	...	...
2133	1602	...	2137	1601	...	2133	1600	...	...	2127	1602	...	...
2981	181	...	2982	176	...	2982	175	...	...	2980	221	...	4
1808	466	...	1798	467	...	1801	466	...	...	1802	467	...	...
960	38	...	960	38	...	960	38	...	...	961	38	...	...
2000	929	...	2000	926	...	2002	927	...	...	2000	816	...	...
1803	404	...	1802	399	...	1802	405	...	...	1727	406	...	...
1430	55	...	1431	56	...	1435	56	...	...	1425	56	...	...
1940	26	...	1940	26	...	1940	26	...	...	1940	26	...	...
1394	1462	...	1386	1461	...	1392	1461	...	...	1390	1460	...	1
1257	726	...	1257	726	...	1257	726	...	...	1258	726	...	...
1621	...	...	1626	...	...	1625	...	...	...	1621	...	...	...
1351	52	...	1351	52	...	1351	52	...	...	1351	52	...	...
2138	349	...	2138	349	...	2115	349	...	...	2137	349	...	...
1133	568	...	1136	550	...	1137	564	...	...	1135	560	...	...
2290	62	...	2291	51	...	2291	61	...	...	2290	62	...	...
9066	672	...	9066	672	...	9061	672	...	...	9076	672	...	...
1595	382	...	1630	418	...	1642	409	...	...	1655	402	...	...
1955	1521	...	1954	1479	...	1932	1569	...	...	1950	1548	...	...
836	406	...	521	405	...	836	399	...	...	832	317	...	...
2502	793	...	2506	791	...	2499	795	...	...	2497	788	...	...
1413	341	...	1414	342	...	1413	341	...	...	1487	333	...	...
1420	244	...	1419	244	...	1417	244	...	...	1421	244	...	9
1479	...	...	1479	...	...	1479	...	...	...	1479	...	...	...
1318	591	...	1595	800	...	1595	810	...	...	1616	780	...	...
4091	29	...	4091	29	...	4091	29	...	...	4091	29	...	...
2746	1056	...	2749	1374	...	2737	1351	...	...	2769	1002	...	12
7436	2913	...	7333	2934	73	7454	2919	...	27	7434	2909	...	71
1944	321	...	1946	318	...	1946	321	...	...	1946	321	...	...
2191	6	...	...	...	...	...	...	...	...	2197	6	...	...
1699	1743	...	1690	1743	2	1690	1743	...	2	1693	1744	...	2
2170	1108	...	2170	1108	...	2172	1105	...	...	2151	1106	...	...
2202	62	...	2027	63	...	2025	63	...	17	2039	63	...	17
4413	1483	...	4419	1487	...	4414	1468	...	...	4427	1409	...	...
1379	384	...	1378	385	...	1376	385	...	...	1363	385	...	...
3138	2329	...	3138	2329	...	3137	2329	...	...	3139	2321	...	...
3895	667	...	3895	667	...	3895	667	...	...	3971	667	...	...
1318	299	...	1318	299	...	1318	299	...	...	1316	298	...	...
2059	251	11	2133	239	11	2146	252	...	10	1699	305	...	11

## OFFICIAL VOTE OF ALABAMA—CONTINUED.

COUNTIES.	FOR GOVERNOR.				FOR SECRETARY OF STATE.			
	Thomas Seay.	W. T. Ewing.	J. W. Orr.	R. Brinson.	C. C. Langdon.	R. P. Baker.	J. J. Woodall.	L. C. Coulson.
Mobile.....	3925	1746	.....	.....	3897	1768	.....	.....
Monroe.....	1450	283	.....	.....	1445	284	.....	.....
Montgomery.....	5191	1721	.....	.....	5187	1723	.....	.....
Morgan.....	1914	705	120	.....	1961	741	.....	9
Perry.....	3115	334	.....	.....	3122	334	.....	.....
Pickens.....	3219	1	.....	.....	3222	1	.....	.....
Pike.....	2782	734	.....	.....	2789	734	.....	.....
Randolph.....	1478	729	.....	.....	1461	718	.....	.....
Russell.....	1953	1176	.....	.....	1953	1176	.....	.....
Shelby.....	.....	.....	.....	.....	.....	.....	.....	.....
St. Clair.....	1668	736	.....	.....	1689	748	.....	.....
Sumter.....	.....	.....	.....	.....	.....	.....	.....	.....
Talladega.....	2364	1792	1	.....	2362	1797	.....	.....
Tallapoosa.....	2908	391	.....	.....	2905	347	.....	.....
Tuscaloosa.....	2709	820	6	.....	2702	819	.....	4
Walker.....	1372	1292	.....	.....	1371	1293	.....	.....
Washington.....	971	176	.....	.....	970	176	.....	.....
Wilcox.....	4653	.....	.....	.....	4653	.....	.....	.....
Winston.....	268	457	.....	.....	266	446	.....	.....
Totals.....	149591	42805	301	10	150386	42265	537	27

## N. B. Lauderdale County:

FOR AUDITOR.	
Jno. L. Cobbs.....	2028
C. D. Hogue.....	163
S. P. Fowler.....	7
S. L. Fowler.....	3
	<u>2201</u>

FOR STATE TREASURER.	
Cyrus D. Hogue.....	2037
Jno. L. Cobbs.....	163
Jas. Heflin.....	2
R. T. Heflin.....	3
R. S. Heflin.....	4
	<u>2209</u>

## OFFICIAL VOTE OF ALABAMA—CONTINUED.

FOR ATT'Y GEN'L.			FOR AUDITOR.			FOR TREASURER.				FOR SUP'T OF ED'TION.			
T. N. McClellan.	N. B. Mardis.	G. H. Craig.	C. D. Hogue.	R. S. Heflin.	M. C. Wade.	John L. Cobbs.	S. T. Fowler.	C. W. Buckley.	A. H. Thompson.	Solomon Palmer.	L. J. Standifer.	J. M. Clarke.	W. C. Denson.
3906	1755	....	3903	1764	..	3903	1763	....	..	3903	1758	....	....
1445	284	....	1445	284	....	1445	284	....	..	1445	284	....	....
5189	1721	....	5187	1723	....	5223	1687	....	..	5188	1722	....	....
1958	750	....	1957	747	10	1961	755	....	9	1959	749	....	7
3123	334	....	2890	334	....	3122	334	....	..	3122	334	....	....
3222	1	....	3222	1	....	3102	1	....	..	3222	1	....	....
2792	734	....	2790	734	....	2788	734	....	..	2790	734	....	....
1463	712	....	1461	647	....	1459	715	....	..	1458	717	....	....
1953	1176	....	1953	804	....	1940	805	....	..	1953	1176	....	....
1685	750	....	1662	749	..	1647	788	....	..	1684	731	....	1
2360	1797	....	2361	1797	....	2363	1796	....	4	2362	1797	....	....
2902	347	....	2902	347	..	2902	347	....	..	2901	348	....	....
2710	819	....	2652	818	4	2647	818	....	..	2702	819	....	4
1368	1296	....	1368	1220	....	1377	1222	....	..	1368	1295	....	....
970	138	....	971	138	....	793	138	....	..	979	176	....	....
4653	....	....	4645	....	....	4522	....	....	..	4572	....	....	....
259	446	....	262	445	....	262	450	....	..	250	447	....	....
145661	41611	349	146450	41370	113	145627	41818	439	82	149986	41405	464	152

The speaker of the house then declared that Thos. Seay, having received the highest number of votes of all the votes cast for governor, was duly and constitutionally elected governor of Alabama for the time prescribed by law.

That C. C. Langdon, having received the highest number of votes of all the votes cast for secretary of state, was duly and constitutionally elected secretary of state for the State of Alabama for the time prescribed by law.

That Thos. N. McClellan, having received the highest number of votes of all the votes cast for attorney-general, was duly and constitutionally elected attorney-general of the State of Alabama for the time prescribed by law.

That Cyrus D. Hogue having received the highest number of votes of all the votes cast for State auditor, was duly and constitutionally elected State auditor of the State of Alabama for the time prescribed by law.

That John L. Cobbs, having received the highest number of votes of all the votes cast for State treasurer, was duly and constitutionally elected State treasurer of the State of Alabama for the time prescribed by law.

The president of the senate announced that the purpose of the joint convention having been accomplished, it was dissolved.

The senate returned to its chamber.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker—*

The senate has adopted the joint resolution herewith sent in relation to the proceeds from the sale of certain lands.

W. L. CLAY,  
Secretary.

On motion of Mr. Clements, the senate joint resolution in reference to the proceeds of the sale of certain lands was concurred in.

Mr. Clements, from the joint committee, made the following report, which, on his motion, was ordered to lay on the table:

*Resolved by the house of representatives* (the senate concurring), That his excellency, the governor, be and he is hereby requested to communicate to the two houses of the general assembly what proceedings have been instituted under an



act approved February 28, 1887, to authorize the governor to prosecute and secure to the State the benefits resulting from all claims of the State of Alabama, for and on account of the *five per cent.* of the proceeds of sales of public lands by the general government, provided for under act of 1819, admitting said State into the Union; also, whether any agent has been employed under the provisions of said act of February 28, 1887, and if so, upon what terms, and what has been accomplished under said agency; also the amount of said five per cent. collected by the State of Alabama since the last payment, as appears from the comptroller's report of October 31, 1860, and the amount now due the State of Alabama on account of said claims, and whether any additional legislation is needed to secure and collect the amount now due the State on account of said five per cent. of the proceeds of sales of public lands within this State.

N. N. CLEMENTS,  
Chairman of Committee.

Mr. Hundley moved that the rules be suspended, and that the call of the counties continue.

Mr. Benners moved to adjourn;

Lost.

Mr. Hundley's motion was adopted.

Mr. Mancill moved to adjourn till 10 o'clock to-morrow morning.

Mr. Clements offered an amendment, that the house adjourn till 10 o'clock Monday morning,

And, on this motion, Mr. Hundley called for the ayes and noes.

Call sustained.

Those voting aye are :

Messrs. Arrington, Clements, Hampton, Henderson, Hundley, King, McElderry, McElvey, Stansel, Pratt—10.

Those voting nay are :

Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Denson, Dykes, Fitzpatrick, George, Hardy, Higgins, Hogue, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLeod, McRee, Nelson, Ne-Smith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey,

Powell, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Smith, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—72.

And the house refused to adjourn till Monday morning at 10 o'clock.

Mr. Arrington moved to adjourn till 4 o'clock this afternoon.

Mr. Johnson offered an amendment that the house adjourn till 10 o'clock a. m. to-morrow.

Adopted.

And the house stood adjourned till 10 a. m. to-morrow.

## FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
Saturday, Nov. 17, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meadow, Miller, Moseley, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

Journal of yesterday was read and approved.

A memorial was received by the speaker from the Alabama Educational Association in reference to the establishment of a State industrial institute and college for white girls in the State of Alabama;

Which was referred to committee on education.

## LEAVES OF ABSENCE.

Leaves of absence were granted as follows :

To Mr. McLendon, for to-day.

To Messrs. Davie and Kyle until Monday next.

To Mr. McElvey until 12 m. Monday next.

To Messrs. McElderry and McRee until Tuesday next.

On motion of Mr. Woolf, the following resolution was adopted :

That the committees on the judiciary and ways and means be authorized to employ a clerk each.

Mr. White, of Dallas, presented a petition to accompany house bill 13.

The depositions in the contested election case of Jack vs. Richardson, from Franklin county, was received and referred to the committee on privileges and elections.

## CALL OF COUNTIES.

On the call of the counties bills were introduced as follows :

By Mr. Porter—

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in this State, except in incorporated towns and cities having police regulations.

Also,

H. B. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree.

Also,

H. B. 22. To expedite the trial of capital cases in Jefferson county.

Also, (by request accompanied with notice and proof),

H. B. 23. To confirm and enlarge the charter of the Debardeleben Coal and Iron Company.

Also, (by request, with notice and proof),

H. B. 24. To confirm, amend and enlarge the charter of the Bessemer Iron and Steel Company.

Also,

H. B. 25. To amend section 3027 of the Code of Alabama.

By Mr. Lowe (by request),

H. B. 26. To authorize the mayor and aldermen of Birmingham to issue bonds of said city for an amount not ex-

ceeding three hundred thousand dollars, for the purpose of building and constructing sewers and making other permanent improvements in said city, paying floating debt of city and paying for cemetery grounds.

Also,

H. B. 27. To amend sub-divisions 17 and 18 of section 96 and sub-division 8 of section 120 of the Code of Alabama.

Also,

H. B. 28. To provide for the increasing of the capitol stock of building and loan associations.

Also (by request, with notice and proof),

H. B. 29. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company.

Also (by request, with notice and proof),

H. B. 30. To confirm, amend and enlarge the charter of the Magnetic Ore Company.

By Mr. McRee—

H. B. 31. To allow justices of the peace and notary public *ex-officio* justices of the peace, with powers of justice of the peace in Lowndes county, to sentence to hard labor for the county persons convicted in their respective courts for the costs accruing in said court.

Also,

H. B. 32. To fix the salary and the tenure of office of the health officer of Lowndes county.

Also,

H. B. 33. To render inoperative the law commonly known as the "stock law," in the town of Lowndesboro, Lowndes county, Alabama.

By Mr. Paine—

H. B. 34. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Macon.

Also,

H. B. 35. For the relief of parties whose lands were sold for taxes and purchased by the State prior to the first day of January, eighteen hundred and eighty-seven.

Also,

H. B. 36. To amend section 750 of the Code of Alabama.

Also,

H. B. 37. To amend section 2732 of the Code of Alabama.

By Mr. Hampton—

H. B. 38. To establish a branch agricultural experimental station and branch agricultural school in North Alabama.

By Mr. Hundley—

H. B. 39. For the relief of E. C. Betts, former commissioner of agriculture.

Also,

H. B. 40. To punish all persons or corporations, who enter into any arrangement, contract, agreement, trust or combination, with a view, or which tends to prevent full and free competition in the production, manufacture or sale of articles, goods, wares or merchandise of any description, and which is designed or tends to advance the cost to the consumer of such articles, goods, wares or merchandise.

Also,

H. B. 41. To exempt peddlers of poultry, fruit and all farm products, from the payment of State and county license.

Also,

H. B. 42. To exempt from taxation one horse, or one mule, to be selected by the head of each family.

Also,

H. B. 43. To authorize Madison county to purchase any, or all of the turnpikes, or macademized roads, in said county, and to issue bonds in payment therefor, and also, to authorize the owner of any such turnpike or macademized roads, to make sale thereof to said county.

Also,

H. B. 44. To fix the time and place of holding the circuit courts in the several counties of the eighth judicial circuit of the State of Alabama.

Also,

H. B. 45. To incorporate the Farmers' Alliance Exchange of Alabama.

Also,

H. B. 46. To extend the terms of courts so as to finish a cause on trial.

Also,

H. J. R. 1. Proposing amendment to section 2 of Article XI of the Constitution of the State of Alabama.

By Mr. Kemp—

H. B. 47. To provide for the election of county superintendent of education by the qualified voters of Monroe county, Alabama.

By Mr. Smith—

H. B. 71. To amend section 2719 of the Code of Alabama.

By Mr. Nisbet—

H. B. 72. To amend section 134 of the Code of 1886 ;

By Mr. Barnett—

H. B. 48. To amend sections 3 and 9 of an act entitled "an act to more effectually secure competent and well qualified jurors in the county of Montgomery," approved February 21, 1887.

By Mr. Wiley—

H. B. 49. To appropriate fifteen thousand dollars to aid in the erection of a monument to the Alabama soldiers who fell in the late war between the states.

By Mr. Weaver—(with petition)

H. B. 50. To prohibit the sale or giving away, or otherwise disposing of spirituous, vinous or malt liquors, within three (3) miles of Falkville, Morgan county, Ala.

By Mr. Woolf—

H. B. 51. To authorize the taking and perpetuating of the testimony of witnesses who are non-residents of this State.

Also, (with notice and proof,)

H. B. 52. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors in McKinley beat, Marengo county.

By Mr. Ledyard—

H. B. 53. To incorporate the Spring Hill Academy.

Also,

H. B. 54. To provide for the safe keeping of the funds of the State of Alabama.

By Mr. Anderson—

H. B. 55. To provide for the sale of property of minors in order to remove the proceeds thereof from the state.

By Mr. Lewis—

H. B. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected.

Also, (with notice and proof,)

H. B. 57. To divide the county of Mobile into three Revenue and Road Commissioners' Districts, and to provide for the election of revenue and road commissioners therein.

By Mr. Winslow (with petition)—

H. B. 58. To prohibit the sale or giving away of vinous, spirituous or malt liquors or intoxicating bitters or beverages in Warrenton beat (14), Marshall county.

Also,

H. B. 59. To permit the people of Marshall county to elect their county commissioners by the vote of each commissioner's district.

Also,

H. B. 60. To provide for the election of a county solicitor by a vote of the qualified voters in the county of Marshall.

Also,

H. B. 61. To provide for the election of the county superintendent of education by a vote of the people of Marshall county.

By Mr. Pitts—

H. B. 62. To authorize the mayor and council of the city of Uniontown to issue bonds of said city for an amount not exceeding Five Thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or providing said city with a bored well and erecting water works.

Also,

H. B. 63. To fix the time for holding the circuit courts in the counties composing the fourth judicial circuit.

Also,

H. B. 64. To amend section 3069 of the Code.

Also,

H. B. 65. To amend section 710 of the Code of 1886.

By Mr. Stansel—

H. B. 66. Enabling mortgagors to waive the statutory right of redemption.

By Mr. Carter—

H. B. 67. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1 to March 1, in stock districts already established or that may hereafter be established in said county, and to authorize said court of county commissioners to levy a special tax in any such stock district as is now established or that may hereafter be established in said county, for the purpose of building and maintaining line fences for such stock districts.

By Mr. Darby—

H. B. 68. To tax pistols carried or owned by citizens of this State.

By Mr. Henderson—

H. B. 69. To regulate the payment of claims against the general fund of Randolph county.

Also,

H. B. 70. To amend section 1422 of the Code of Alabama of 1886.



Also,

H. B. 73. To amend section 135 of the Code of 1886 ;

Also,

H. B. 74. To amend section 136 of the Code of 1886 ;

Also,

H. B. 75. To amend section 137 of the Code of 1886 ;

Also,

H. B. 76. To amend section 149 of the Code of 1886 ;

Also,

H. B. 77. To allow the commissioner of agriculture to make his own printing contracts.

By Mr. Langston—

H. B. 78. To amend section 3789 of the Code ;

Also,

H. B. 79. To better secure the payment of fines and costs in criminal cases in the courts of this State.

By Mr. Maddox—

H. B. 80. To make deeds, conveyances and title bonds of real estate and personal property in this State of private corporations in the hands of grantees or purchasers, or persons holding under same, *prima facie* evidence of authority on the part of such corporations to make and execute same, when done in the name of, and under the seal of the corporation;

Also,

H. B. 81. To confer on courts of law in this State, discretion in reference to the taxing of costs in cases of ejectment or in suits brought for the recovery of land;

Also,

H. B. 82. To amend section 3057 of the Code of Alabama of 1886;

Also,

H. B. 83. To reduce the rate of taxation in the State of Alabama.

By Mr. Arrington—

H. B. 84. To amend section 3089 of the Code.

By Mr. Webb—

H. B. 85. To encourage the permanent settlement of small farms in the State of Alabama;

Also,

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama;

Also,

H. B. 87. To fix the amount of damages on appeals from

judgments rendered for wilful or negligent injury to stock.

By Mr. Dupree—

H. B. 88. To regulate the granting of whisky license in Talapoosa county.

By Mr. Clements—

H. B. 89. To fix the rate of taxation in this State.

By Mr. Cornelius—

H. B. 90. To provide for a charter for the city of Jasper, in Walker county, Alabama;

Also,

H. B. 91. To authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading, and draining the streets, avenues, and alleys of said city, establishing water-works, and for the payment of the city's indebtedness;

Also,

H. B. 92. To prohibit the sale, giving away, or otherwise disposing of, spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, within three miles of Day's Gap, Walker county, Alabama.

By Mr. Posey—

H. B. 93. To increase the pay of the county commissioners of Walker county.

By Mr. Miller—(by request,)

H. B. 94. To regulate the fees of officers of court against the fine and forfeiture fund of Wilcox county.

By Mr. George—(by request,)

H. B. 95. To amend section 3945 of the Code of Alabama.

By Mr. Knight—

H. B. 96. To amend section 1754 of the Code of Alabama.

By Mr. Adams—

H. B. 97. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Bibb, approved February 24th, 1887, and to provide for the disposition of certain cases now pending in the county court of Bibb county.

By Mr. Johnson—

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county seat of Blount county;

Also,

H. B. 99. To authorize the court of county commissioners of Blount county to issue bonds of said county to an amount not exceeding seventy thousand dollars, for the purpose of building a courthouse and jail for said county;

Also,

H. B. 100. To create a separate school district in Blount county, Alabama, known as the Blount Springs district ;

Also,

H. B. 101. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials, or fruits preserved in alcoholic liquors, within five miles of Village Springs academy, in Blount county.

By Mr. Powell—

H. B. 102. To require all moneys derived in the county of Mobile from the liquor license to be paid into the State treasury.

By Mr. Williams—

H. B. 103. To change the name of the town of Cross Plains, in the county of Calhoun, to Piedmont, and to establish a charter for the town of Piedmont, in the county of Calhoun;

Also,

H. B. 104. To authorize the town council of Jacksonville, Alabama, to prohibit the running at large of cows and hogs and other animals within the incorporate limits of said town of Jacksonville ;

Also,

H. B. 105. To create the tenth judicial circuit of Alabama, composed of the counties of Talladega, Clay, Cleburne and Calhoun, and to fix the time of holding the courts therein.

By Mr. Dykes—

H. B. 106. To define the jurisdiction of justices of the peace and notaries public, who are ex-officio justices of the peace of precinct number (4) four, in Chilton county, and to provide for service of all process from their courts.

By Mr. Rattray—

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs or animals of the dog kind, in the county of Cherokee ;

Also,

H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee county.

By Mr. Nelson—

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous, malt liquors, intoxicating bitters or intoxicating beverages in Clay county, Alabama.

By Mr. Mancill—(with petition,)

H. B. 110. To repeal section 4193 of the Code of 1886, so far as the same relates to the county of Covington ;

Also,

H. B. 111. To repeal section 4078 of the criminal Code, so far as the same relates to the county of Covington.

By Mr. Watson—

H. B. 112. To authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

By Mr. Hardy—

H. B. 113. To create the office of county solicitor of Dallas county, and to provide for his appointment and compensation.

By Mr. Patton—

H. B. 114. To incorporate the Eutaw Female College in the town of Eutaw, in Greene county, Alabama.

By Mr. Benners—

H. B. 115. To regulate the assessment and collection of State, county and other taxes upon lands and tenements in the possession of tenants for life, or of other less interest, or of persons in a trust capacity, and to define the interest in such lands and tenements acquired by purchasers at a sale thereof for unpaid taxes.

By Mr. Bogart (by request)—

H. B. 116. To amend section 3775 of the Code of Alabama of 1876.

By Mr. Shorter—

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 18, 1887.

Also,

H. B. 118. To regulate prosecutions for misdemeanors committed in cities and towns.

The foregoing bills and the joint resolution were severally read a first time and referred to appropriate committees, as follows:

House bills 21, 22, 35, 37, 40, 43, 44, 46, 48, 51, 55, 63, 64, 67, 71, 80, 82, 91, 105, 113, 116, 117, 118, and house joint resolution 1, to the judiciary.

House bills 25, 31, 34, 36, 57, 59, 61, 66, 69, 70, 78, 79, 81, 84, 94, 95, 96, 97, 106, 110, 111, to revision of laws.

House bills 27, 41, 42, 54, 56, 68, 83, 89, 93, 102, 115, to ways and means.

House bills 23, 24, 26, 28, 29, 30, 45, 53, 62, 90, 114, to corporations.

House bills 47, 100, 103, to education.

House bills 38, 39, 72, 73, 74, 75, 76, 85, to agriculture.

House bill 33, 104, 107, 108, 112, to local legislation.

House bills 60, 93, 99, to counties and county boundaries.

House bills 86, 87, to commerce and common carriers.

House bill 49, to appropriations.

House bills 65, 77, to public printing.

House bills 32, to fees and salaries.

House bills 20, 50, 52, 58, 83, 92, 101, 109, to temperance.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has adopted the joint resolution herewith sent in relation to the appointment of a joint committee on repairs on the capitol.

Committee on part of senate: Messrs. Graham and Tayloe.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate joint resolution set forth in the foregoing message.

The speaker appointed as the committee on the part of the house under said resolution: Messrs. Wiley, Pratt and Knight.

On motion of Mr. Wiley, the following resolution was adopted:

That the committee on the revision of laws, shall have the right, and are hereby authorized to employ a clerk, and that it shall be the duty of said clerk, when elected, to attend upon, and give his services to the committee on corporation; when not otherwise engaged by the committee on the revision of laws.

#### REPORT OF STANDING COMMITTEES.

Mr. Pettus, from the judiciary, reported favorably to the bills—

H. B. 1. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Chambers county, and to regulate the proceedings therein, approved February 26th, 1887, and to provide for the disposition of

certain cases now pending in the county court of Chambers county.

Also,

H. B. 2. To regulate the time of holding the circuit courts in the fifth judicial circuit of Alabama.

Also, (with an amendment)

H. B. 14. For the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same, which have been or may be hereafter patented to this State.

Also,

H. B. 15. To amend and ratify the charter of the Selma Land Improvement and Furnace Company ;

Which were severally read a second time and put on the calendar.

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

H. B. 3. To repeal an act entitled "An act to charter a ferry across Coosa river at or near Cedar Bluff in Cherokee county," approved February 18th, 1867.

Also, (with amendment)

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon," approved February 26, 1887, so that it shall not apply to resident citizens of Clay county, Alabama, nor to stock belonging to resident citizens of said county.

Also,

H. B. 18. To authorize the county of Henry to borrow money and to issue bonds for the purpose of building a court house and jail for the use of said county at Abbeville, Alabama ;

Which bills were severally read a second time and put on the calendar.

The speaker appointed as a committee in reference to parcelling out the governor's message to the different standing committees: Messrs. Lewis, Rabb, Paine, Bogart and Henderson.

On motion of Mr. Knight, the house adjourned till 10 a. m. Monday next.

## SIXTH DAY.

## HOUSE OF REPRESENTATIVES,

Monday, November 19, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Moore of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Mosely, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—94.

The journal of yesterday was read and approved.

On motion of Mr. Pettus, the doorkeeper was instructed to file in the office of Secretary of State one hundred copies of the rules of the house for the use of the next house of representatives.

## LEAVE OF ABSENCE

was granted to Mr. Denson for one day.

## CALL OF THE COUNTIES.

On the call of the counties bills were introduced as follows:

By Mr. Davie—

H. B. 119. To make appropriations for the payment of the railroad commissioners and their clerks, and for other expenses of the railroad commission.

By Mr. Mancill—

H. B. 120. To repeal an act entitled an act to prohibit the sale or giving away any intoxicating or malt liquors or



intoxicating bitters within one mile of any church in Covington county, except it be in a town duly incorporated and marshaled.

By Mr. Watson—

H. B. 121. To change the boundary line between the counties of Butler and Crenshaw.

By Mr. White of Dallas—

H. B. 122. For the relief of Wm. A. Jones of Selma, Ala.

By Mr. Blevins—

H. B. 123. To reduce and fix the commissions of the tax assessor of DeKalb county.

Also,

H. B. 124. To reduce and fix the commissions of the tax collector of DeKalb county.

By Mr. Rabb—

H. B. 125. To amend section 716 of the Code of Alabama fixing the times and places of holding the chancery courts in the south eastern chancery division.

By Mr. Wade—

H. B. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials within three miles of Liberty Coosa Missionary Baptist church and also Young's Chapel Methodist church, all in Etowah county.

Also,

H. B. 127. To abolish the normal school system of this State.

By Mr. Ward—

H. B. 128. To amend section 141 of the Code of 1886.

By Mr. Lowe—

H. B. 129. To amend section 601 of the Code of 1886.

Also,

H. B. 130. To amend section 609 of the Code of 1886.

By Mr. Porter, (by request)

H. B. 131. To amend the charter of the town of Bessemer and to re-incorporate the same as the city of Bessemer, and to establish a charter therefor.

By Mr. Bradley, (by request)

H. B. 132. To authorize the repayment to certain parties therein named school moneys overpaid by them into the state treasury.

By Mr. Cunningham—

H. B. 133. To appropriate five hundred thousand dollars for the use and support of the public schools of the state

for each year, being for the fiscal years ending on the 30th day of September, 1889, and the 30th day of September, 1890, respectively ;

Also,

H. B. 134. To amend section 3089 of the Code in relation to liens of livery stable keepers.

Also,

H. B. 135. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous, or malt liquors, intoxicating bitters or beverages, nearer the Methodist church at Rogersville, Lauderdale county, than the beat line in every direction from said church.

By Mr. Nesmith—

H. B. 136. To amend section 3 of an act entitled an act for the protection of dogs. Approved February 12, 1887.

By Mr. Sowell—

H. B. 137. To establish a separate school district, to be known as Union district in Limestone county.

By Mr. Paine—

H. B. 138. To amend sections 4337, 4338, 4352 and 4353 of the Code of Alabama, so far as the same relates to Macon county.

Also,

H. B. 139. To regulate the fees of constables in criminal cases in Macon county.

By Mr. Hundley—

H. B. 140. To amend section 4053 of the Code.

By Mr. Meador—

H. B. 141. To provide for the election of county superintendents of education for the State of Alabama.

Also,

H. B. 142. To enforce the closing of gates upon the public roads and roads running through stock farms in Marengo county.

By Mr. Winston—

H. B. 143. To define the rights and liabilities of husband and wife.

Also,

H. B. 144. To increase the school fund of the State.

By Mr. Lewis—

H. B. 145. To create a convict labor reform commission for the purpose of investigating how best to employ the convicts in this State other than by the contract system, and what improvements in the commitment, custody, employment, and discipline of convicts should be adopted,

and to make an appropriation to pay the expenses thereof.

Also,

H. B. 146. To authorize the redemption of lands or real estate sold for taxes and purchased by or in the name of the State.

Also,

H. B. 147. To repeal section (4) four of an act entitled an act to provide for the election and regulation of justices of the peace and constables in that part of the county of Mobile which was included within the corporate boundaries of the city of Mobile, as the same was formerly incorporated, approved February 12, 1835.

Also,

H. B. 148. To amend section 80 of the Code of 1886.

Also,

H. B. 149. To require the supreme court to pass upon application for rehearing within sixty days after such application is made, and to require the clerk to give notice to the parties to the cause or their attorneys of record.

By Mr. Lay,

H. B. 150. To amend paragraph numbered 1 of section 1525 of the Revised Code of Alabama.

Also,

H. B. 151. To amend section 1519 of the Code.

Also,

H. B. 152. To prevent the transportation of tramps, vagrants, and other designated persons, over the railroads of this State.

By Mr. Anderson—

H. B. 153. To amend an act "To amend and extend the charter of the Mobile Mutual Insurance Company," approved February 6, 1866, and to change the name of said company, and to amend an act entitled an act "to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved February 4, 1867, and to amend an act entitled an act "to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company," approved February 6, 1886, approved August 11, 1868, which last act was approved February 17, 1885.

By Mr. Hogue—

H. B. 154. For the relief of the Colored Peoples's University at Montgomery.

By Mr. Stansel—

H. 155. For the relief of T. P. Chapman, late sheriff of Pickens county.

By Mr. Nisbet—

H. B. 156. To amend sections 1395 and 1396 of the Code of 1886.

By Mr. Lay—

H. B. 157. To incorporate the Gulf and Chicago railway company, and to further the construction of the same.

By Mr. Smith—

H. B. 158. To amend section 2721 of the Code of Alabama.

By Mr. Maddox—

H. B. 159. To provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

By Mr. Dark—

H. B. 160. To abolish the county court of Tallapoosa county.

By Mr. Cochrane—

H. B. 161. To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

By Mr. Clements—

H. B. 162. To exempt certain property from taxation.

By Mr. Cornelius—

H. B. 163. To prohibit the sale, giving away, or disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, or fruits preserved in alcohol, or alcoholic liquors, within six miles of any coal mine, or coal mining camp, iron ore mine, or iron ore camp in the counties of Colbert, Franklin, Marion, Winston, Walker, Jefferson, Fayette or Tuscaloosa; provided that the provisions of this act shall not apply to incorporated towns or cities within the limits of said counties or either of them.

Also,

H. B. 164. To ratify and confirm the consolidation of the Alabama Mineral, Manufacturing and Railway Company with the Sheffield and Birmingham Railroad Company.

By Mr. George—

H. B. 165. To repeal an act to amend section 1630 of the Code of Alabama of 1876 as to the county of Wilcox, approved February 11, 1887.

By Mr. Shorter—

H. B. 166. To provide depositories for the funds of the State.

By Mr. Watters—

H. B. 167. To repeal paragraph 35 of section 629 of the Code of Alabama.

By Mr. Moseley—

H. B. 168. To punish persons who take by net or poison fish in Big Limestone creek in Limestone county.

By Mr. Brown—

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

By Mr. Pitts—

H. B. 170. To establish in township 16, of range 6, east, in Perry county, a district in which stock shall not be allowed to run at large.

By Mr. Knight—

H. B. 171. To regulate the State witnesses fees in Hale county, Alabama, and to provide for the payment of the same.

By Mr. Wiley—

H. B. 172. To make an appropriation for improving, terracing, and beautifying the grounds of the capitol.

By Mr. Hundley—

H. J. R. 2. Proposing amendment to section 7 of Article XI of the constitution of the State of Alabama.

By Mr. Winston—

H. J. R. 3. To provide for submitting the question of a constitutional convention to the people.

The foregoing bills and house joint resolutions were severally read one time and referred to appropriate committees as follows:

House bills 134, 149, 150, 151, 158, 172, and house joint resolution 2, to judiciary.

House bills 136, 138, 139, 140, 143, 147, 160, and house joint resolution 3, to revision of laws.

House bills 123, 124, 128, 129, 130, 132, 146, 162, 166, 167, to ways and means.

House bills 127, 133, 137, 141, 144, 154, 161, to education.

House bills 131, 153, 157, 164, to corporations.

House bills 142, 168, 169, 170, to local legislation.

House bills 148, 155, to accounts and claims.

House bills 121, 159, to counties and county boundaries.

House bills 120, 126, 135, 163, to temperance.

House bills 156, 165, to public roads and highways.

House bills 152, to commerce and common carriers.

House bills 119, 122, to appropriations.

House bill 171, to fees and salaries.

House bill 145, to penitentiary and criminal administration.

House bill 125, to a special committee' composed of Messrs. Rabb, Lee, King, Watson, Mancill, Russell, Wiley, Paine, Smith, Powell, Darby, Simmons, Smisson, Ward, Davie, White, of Geneva.

Mr. White, of Dallas, asked and obtained leave to withdraw house bill 122.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

November 19, 1888.

*Mr. Speaker:*

I am directed by the governor, to communicate to the house a message in writing, with accompanying documents.

Very respectfully,

THOS. H. CLARK,

Recording Secretary.

MONTGOMERY, 19 November, 1888.

*Gentlemen of the Senate and of the House of Representatives :*

I herewith communicate to you in manuscript, the report of the trustees of the Agricultural and Mechanical College of Alabama, for the years 1886-7 and 1887-8.

THOS. SEAY.

MONTGOMERY, 19 November, 1888.

*Mr. Speaker :*

I am directed by his excellency, the governor, to communicate to the house a message in writing, with accompanying documents.

Very respectfully,

THOS. H. CLARK,

Recording Secretary.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,

OFFICE OF THE GOVERNOR,

MONTGOMERY, November 19, '88.

*Gentlemen of the Senate and of the House of Representatives :*

In accordance with section 12 of article 5 of the constitution of this State, I herewith send you a list of all cases of reprieves, commutations and pardons granted since

the 1st day December, 1886, together with my reasons therefor.

This list does not include those convicts from whose sentence a deduction has been made from term of punishment by the governor, on report by the inspectors, of good conduct, as provided by section 4533 of the Code. A statement of these may be found on file in the office of the secretary of State, and of course the reason for the deduction in each case is the alleged good conduct of the convict.

Respectfully,

THOS. SEAY.

#### MESSAGES FROM THE GOVERNOR.

The message and accompanying document in relation to the report of trustees of Agricultural and Mechanical College, were ordered to lay upon the table for future action.

The message and documents in reference to commutations, pardons, &c., were read and referred to committee on penitentiary and criminal administration.

Mr. Stansel, offered the following resolution, which was adopted:

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of exposing to sale and selling the lands heretofore bought by the State at tax sales, so as to render the same a source of revenue to the State, with leave to report by bill or otherwise.

#### REPORTS OF STANDING COMMITTEES.

Mr. Stansel, from the committee on revision of laws, reported favorably to the following bills:

H. B. 16. To repeal an act entitled "an act to regulate the trials of misdemeanors in the county of Elmore, approved February 24th, 1887," and to provide for the disposition of certain cases now pending in the county court of Elmore county.

H. B. 31. To allow justices of the peace and notary public *ex-officio* justices of the peace, in Lowndes county, to sentence to hard labor for the county persons convicted in their respective courts for the costs accruing in said court.

H. B. 69. To regulate the payment of claims against the general fund of Randolph county.



H. B. 36. To amend section 750 of the Code of Alabama, prescribing time of opening circuit courts.

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee county.

H. B. 33. To render inoperative the law commonly known as the "stock law," in the town of Lowndesboro, Lowndes county, Alabama.

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs or animals of the dog kind, in the county of Cherokee, approved February 28, 1887.

H. B. 104. To authorize the town council of Jacksonville, Alabama, to prohibit the running at large of cows and hogs and other animals within the incorporate limits of said town of Jacksonville.

H. B. 112. To authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

Mr. Lowe, from the committee on revision of laws, reported favorably to the bills—

H. B. 34. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Macon.

H. B. 57. To divide the county of Mobile into three revenue and road commissioners districts, and to provide for the election of revenue and road commissioners therein.

H. B. 111. To repeal section 4078 of the criminal Code, so far as the same relates to the county of Covington.

H. B. 110. To repeal section 4193 of the Code of 1886, so far as the same relates to the county of Covington.

H. B. 59. To permit the people of Marshall county, to elect their county commissioners by a vote of the qualified electors of each commissioners district, in said county.

The foregoing bills were severally read a second time, and placed on the calendar.

12 O'CLOCK, M.

On motion of Mr. White, of Dallas, a committee of three was appointed to escort United States Senator Morgan, to the speaker's stand.

Committee—Messrs White, of Dallas, Rabb, and Bogart.

Upon being conducted to the speaker's stand, Senator Morgan addressed the house for one hour and five minutes on the public questions of the day.

## MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR,  
Montgomery, Nov. 19, 1888.

*Mr. Speaker :*

I am directed by his Excellency, the governor, to communicate to the house a message in writing with accompanying documents.

Very respectfully,  
J. K. JACKSON,  
Private Secretary.

OFFICE OF THE GOVERNOR,  
Montgomery, Nov. 19, 1888.

*Gentlemen of the Senate and of the House of Representatives :*

I herewith transmit a printed copy of the contract for the hiring of the State convicts, together with a copy of the bond for the faithful performance thereof.

THOS. SEAY.

The message just read, with the accompanying documents were referred to the committee on penitentiary and criminal administration.

## BILLS ON THIRD READING.

H. B. 2. To regulate the time of holding the circuit courts in the fifth judicial circuit of Alabama,

Was read a third time at length and passed—yeas 90 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—90.

And the bill was ordered sent forthwith to the senate without engrossment.

H. B. 1. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Chambers county and to regulate the proceedings therein, approved February 26, 1887, and to provide for the disposition of certain cases now pending in the county court of Chambers county,

Was read a third time at length and passed—yeas 84 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Ben-  
ners, Billingslea, Bogart, Beaurdeaux, Bush, Bradley, Brown,  
Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis,  
Darby, Dark, Davie, Dupree, Files, Fitzpatrick, George,  
Hampton, Hardy, Henderson, Higgins, Hogue, Hundley,  
Johnson, Kemp, Knight, Kyle, Ledyard, Lewis, Long, Long-  
shore, Lowe, Maddox, Mancill, Maley, Meador, Miller,  
Moseley, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine,  
Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt,  
Rabb, Richardson, Russell, Simmons, Sowell, Summers,  
Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker,  
Ward, Watson, Watters, Weaver, Webb, Wiley, Williams,  
Winston, Woolf, White of Dallas, White of Geneva—84.

H. B. 14. For the relief of purchasers of swamp and over-  
flowed lands, or lands in lieu of the same, which have been  
or may be hereafter patented to this State,

Was taken up.

The amendment offered by the committee was adopted.

The bill was read a third time at length and passed—  
yeas 85 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arring-  
ton, Barnett, Benners, Bevis, Billingslea, Beaurdeaux, Bush,  
Blevins, Bradley, Brown, Carter, Clark, Clements, Coch-  
rane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree,  
Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Hen-  
derson, Higgins, Hogue, Hundley, Kemp, King, Knight,  
Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill,  
Maley, Meador, Miller, Moseley, McLendon, McLeod, Mc-  
Ree, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pet-  
tus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray,  
Richardson, Russell, Simmons, Sowell, Smisson, Smith,  
Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Wat-  
ters, Weaver, Webb, Wiley, Williams, Woolf, White of  
Geneva—85.

The bill was ordered sent forthwith to the senate without engrossment.

H. B. 15. To amend and ratify the charter of the Selma Land, Improvement and Furnace Company,

Was read a third time at length and passed—yeas 78; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Bevis, Billingslea, Bogart, Bush, Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Mosely, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—78.

The bill was ordered sent to the senate forthwith without engrossment.

H. B. 3. To repeal an act entitled an act to charter a ferry across Coosa river at or near Cedar Bluff, in Cherokee county, approved February 18, 1887;

Was taken up,

The amendment offered by the committee was adopted.

The bill was read the third time, at length, and passed—yeas 87; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Curtis, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Mosely, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Geneva—87.

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon, approved February 26, 1887, so that it shall not apply to resident citizens

of Clay county, Alabama, nor to stock belonging to resident citizens of said county ;

Was taken up.

On motion of Mr. Hundley, the bill was made the special order for to-morrow immediately after the reading of the journal.

H. B. 18. To authorize the county of Henry to borrow money and issue bonds for the purpose of building a courthouse and jail for the use of said county, at Abbeville, Alabama ;

Was taken up.

Mr. Rabb offered the following amendment :

In section three of the bill strike out the words "said bonds shall be non-taxable," wherever said words occur.

Mr. Pettus moved to lay Mr. Rabb's amendment on the table.

Lost—yeas 26 ; nays 61.

Yeas—Messrs. Speaker, Anderson, Arrington, Bush, Cochran, Cornelius, Davie, Hampton, Hardy, Johnson, Lay, Ledger, Lewis, Maddox, Pettus, Pitts, Powell, Rattray, Smisson, Stowers, Walker, Ward, Watters, Webb, Woolf, White of Dallas—26.

Nays—Messrs. Adams, Benners, Bevis, Billingslea, Bogart, Blevins, Bradley, Carter, Clark, Clements, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, Higgins, Hundley, Hogue Kemp, King, Knight, Kyle, Lee, Long, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElevy, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Pratt, Rabb, Richardson, Russell, Simmons, Sowell, Summers, Smith, Stansel, Stone, Tatum, Watson, Weaver, Wiley, Williams, Winston, White of Geneva—61.

Mr. Hundley offered the following amendment to Mr. Rabb's amendment :

Strike out the words in section 3, "said bonds shall be non-taxable," and insert in lieu thereof the words "said bonds shall be exempt from county and municipal taxes ;

Adopted.

The bill was read a third time, at length, and passed—yeas 90 ; nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, John-

son, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Ne-Smith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Smith Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

Nays—Mr. Bogart—1.

#### RESOLUTIONS.

Mr. Lay offered the following resolution, which was referred to the committee on rules:

*Resolved*, That the house shall assemble at 10 o'clock, a. m., and adjourn at 2 o'clock, p. m.

Mr. Ledyard offered the following resolution, which was referred to the committee on public health:

*Resolved by the house* (the senate concurring), That the governor be requested to invite the governors of the States of Texas, Louisiana, Mississippi and Florida, to appoint delegates to attend a conference on the subject of quarantine regulations, to be held in the city of Montgomery at such time in the month of March as the governor may determine on.

*Resolved*, That the governor be authorized to appoint delegates to such conference from the State of Alabama.

On motion of Mr. Adams the house adjourned till 10 a. m., to-morrow.

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#### SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
Tuesday, November 20, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Moore, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick,



George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

The journal of yesterday was read and approved.

#### SPECIAL ORDER.

The special order of this hour being the consideration of the bill,

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon, approved February 26th, 1887, so that it shall not apply to resident citizens of Clay county, Alabama, nor to stock belonging to resident citizens of said county,

Was taken up.

The question being the adoption of the amendment proposed by the committee, Mr. Brown moved to amend the amendment as follows :

“Add after the words words ‘Clay county’ in the title and body of the bill, the words, “Good Water beat, Coosa county.”

Adopted.

The amendment offered by the committee was adopted.

Mr. Dark moved that the bill and amendment be laid on the table.

Lost.

The bill was read the third time at length and passed. Yeas 62, nays 25.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Bevis, Beurdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Davie, Dykes, Files, Fitzpatrick, Hampton, Higgins, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Meador, McElderry, McElvey, McLendon, McLeod, Nelson, Parker, Porter, Posey, Rabb, Rattray,



Richardson, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Geneva.—62.

Nays—Messrs. Arrington, Benners, Billingslea, Dark, Denson, Dupree, George, Hardy, Henderson, Hogue, Hundley, Knight, Maley, Miller, Moseley, McRee, Nisbet, Paine, Pettus, Powell, Simmons, Smith, Wade, Ward, White of Dallas—25.

Mr. Johnson moved that the vote by which the bill was passed be reconsidered and then moved to lay that motion on the table. The latter motion prevailed.

Mr. Lay, from the committee on rules, submitted the following rule :

#### SPECIAL RULE.

That from the 20th of November, until further ordered, the house shall meet each legislative day at 10 o'clock, a. m. and shall adjourn at 2 o'clock, p. m.

Adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the bills :

s. 27. To amend section 1399 of the Code.

s. 17. To amend section 835 of the Code.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committee as follows :

s. 17. To revision of laws.

s. 27. To judiciary.

Mr. George, by leave, offered the following resolution :

*Resolved*, That the doorkeeper be instructed to fasten and keep fastened for the balance of this session, the door leading from the cloak room into the corridor.

Adopted.

## ENGROSSED BILLS.

Mr. Smith, from the committee on engrossed bills, reported as correctly engrossed :

House bill 18.

## REPORTS OF STANDING COMMITTEES.

Mr. Pettus from the committee on the judiciary reported favorably to the bill, by way of a substitute :

H. B. 63. To fix the time for holding the circuit courts in the counties composing the fourth judicial circuit.

Also,

H. B. 51. To authorize and regulate the taking and perpetuating the testimony of witnesses who are non-residents of this State;

Also,

H. B. 48. To amend sections 3 and 9 of an act entitled "an act to more effectually secure competent and well qualified jurors in the county of Montgomery," approved February 21, 1887;

Also,

H. B. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree.

Also,

H. B. 44. To fix the time and place of holding the circuit courts in the several counties of the eighth judicial circuit of the State of Alabama.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills:

H. B. 95. To amend section 3942 of the Code of Alabama;

Also,

H. B. 97. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Bibb, approved February 24, 1887; and to provide for the disposition of certain cases now pending in the county court of Bibb county;

Also,

H. B. 947. To amend an act to regulate the fees of officers of court against the fine and forfeiture fund in Wilcox county;

Also, by way of substitute,

To amend section 1422 of the Code of Alabama;

Also, with amendment,

H. B. 78. To amend section 3789 of the Code.

Mr. Lay, from the committee on ways and means, reported favorably to the bills:

H. B. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected;

Also,

H. B. 93. To increase the pay of the county commissioners of Washington county.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 5. To form a separate school district, to be known as the Salitpa School District, in Clarke county, Alabama;

Also,

H. B. 100. To create a separate school district in Blount county, to be known as the Blount Springs District.

Mr. Pitts, from the committee on privileges and elections, reported favorably to the bill,

H. B. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away or otherwise disposing of, for gain, spirituous, vinous or malt liquors or intoxicating bitters, and the manufacture thereof, within the county of Jackson, approved December 9, 1884.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

H. B. 26. To authorize the mayor and aldermen of Birmingham to issue bonds of said city for an amount not exceeding three hundred thousand dollars, for the purpose of building and constructing sewers and making other permanent improvements in said city, payment of floating debt of said city and paying for cemetery grounds.

Also,

H. B. 53. To incorporate Spring Hill Female Academy;

Also, with amendment,

H. B. 62. To authorize the mayor and council of the city of Uniontown to issue bonds not exceeding five thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or providing said city with a bored well and erecting water works;

Also,

H. B. 114. To incorporate the Eutaw Female College, in the town of Eutaw, in Greene county, Alabama.

Mr. Lee, from the committee on temperance, reported favorably to the bill,

H. B. 101. To prohibit the sale of liquor within five miles of Village Springs, in Blount county;

H. B. 50. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating beverages, within three miles of the town of Faulkville, Morgan county;

H. B. 58. To prohibit the sale of liquors in Warrenton, beat 14, Marshall county;

H. B. 92. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, within three miles of Day's Gap, in Walker county;

H. B. 109. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages in Clay county, Alabama.

Mr. Johnson, from the committee on counties and county boundaries, reported favorably to the bills, with amendments,

H. B. 99. To authorize the court of county commissioners of Blount county to issue bonds of said county, to an amount not exceeding seventy thousand dollars, for the purpose of building a court house and jail in said county;

Also,

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

H. B. 170. To establish in township 16, of range 6 east, in Perry county, a district in which stock shall not be allowed to run at large;

Also,

H. B. 142. To enforce the closing of gates upon the public roads running through stock farms in Marengo county;

Also,

H. B. 168. To punish persons who take by net or poison fish from Big Limestone creek, in Limestone county.

Mr. Wiley, from the committee on fees and salaries, reported favorably to the bill,

H. B. 32. To fix the salary and the tenure of office of the county health officer of Lowndes county.

The foregoing bill was read a second time and placed on the calendar,

Mr. Rabb, from the committee on public printing, reported favorably to the bill,

H. B. 65. To amend section 710 of the Code of 1886.

The foregoing bills were severally read a second time and placed on the calendar.

## MESSAGE FROM THE SENATE.

*Mr. Speaker—*

The senate has passed the joint resolution, herewith sent, relating to the Agricultural and Mechanical College. Committee on the part of the senate—Messrs. Bulger and Huey.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

On motion of Mr. Ledyard, the joint resolution, whose title is set out in the foregoing message, was concurred in.

Committee on the part of the house—Messrs. Ledyard, Stansel and Kyle.

## CALL OF THE COUNTIES.

On the call of the counties, bills were introduced, as follows:

By Mr. Shorter—

H. B. 173. To regulate the purchase of cotton in the seed by manufacturers of cotton products, in those sections of Barbour county where the sale of cotton in the seed is now prohibited by law.

By Mr. Adams—

H. B. 174. To provide for and regulate the pay of State witnesses in Bibb county.

By Mr. Williams—

H. B. 175. To regulate the pay of the teachers of public schools in the State.

By Mr. Denson—

H. B. 176. To authorize judges of probate to pay over to minors certain funds, and take their receipt for the same.

Also,

H. B. 177. To amend section 2756 of the Code of 1886.

By Mr. McLeod—

H. B. 178. To determine and fix the amount of poll tax available each scholastic year for school purposes.

By Mr. Allen—

H. B. 179. To give the court of county commissioners of Clebure county exclusive control of the public printing in

said county, and to authorize said court to make all contracts in relation thereto.

By Mr. Lee—

H. B. 180. To establish a separate school district in Conneuh county.

By Mr. Billingslea—

H. B. 181. To establish a sinking fund commission for Selma.

By Mr. White, of Dallas—

H. B. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State.

By Mr. Wade—

H. B. 183. To prohibit the sale, giving away, or otherwise disposing of vinious, spirituous, or malt liquors, intoxicating bitters or cordials within one and a half miles of Pleasant Hill Baptist church, in Cox's beat, Etowah county, Alabama.

By Mr. Patton—

H. B. 184. To require the commissioners of roads and revenue of Greene county to give bond.

By Mr. Wood, (by request.)—

H. B. 185. To provide for deficiencies in appropriations in public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriation for distributing acts, journals, and other public documents, for the fiscal year ending September 30, 1888, and to make appropriations to cover such deficiencies.

By Mr. Bogart—

H. B. 186. To provide for the fine and forfeiture fund of the several counties in this State.

By Mr. Lowe—

H. B. 187. Prescribing how private corporations may increase their capital stock or bonded indebtedness.

By Mr. Cunningham—

H. B. 188. To secure a uniform system of text-books for the use of the public schools of the State.

By Mr. Paine—

H. B. 189. To amend section 1913 of the Code.

By Mr. Walker, (by request.)—

H. B. 190. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous, or malt liquors, or fruit preserved in alcoholic liquors, within three miles of the Cumberland Presbyterian and Methodist churches at Maysville, Madison county, Alabama.

By Mr. Hundley—

H. B. 191. To amend section 4108 of the Code of Alabama.

Also,

H. B. 192. To provide greater security for travellers on passenger trains in this State.

Also,

H. B. 193. To complete, furnish and equip the buildings of the Agricultural and Mechanical College.

By Mr. Woolf—

H. B. 194. To amend sections 762 and 763 of the Code of 1886, relating to the summoning deputies by the sheriffs to attend and wait upon the sitting of the circuit courts of this State.

By Mr. Clark—

H. B. 195. To repeal an act to authorize the tax collector of Marion county to collect the unpaid taxes for the years 1880, 1881, 1882, 1883, and to pay the same to J. R. Hughes, late tax collector of said county, for the purpose of reimbursing the said J. R. Hughes for money paid to State and county on account of said taxes, approved February 28, 1887.

By Mr. Winston—

H. B. 196. To provide for furnishing tools to work the public roads in Marshall county, by the court of county commissioners of said county, and to provide for the safe keeping of said tools.

Also,

H. B. 197. To amend section 1338 (1620) of the Code of 1886.

By Mr. Ledyard—

H. B. 198. To prevent perjury and punish the same.

By Mr. Lay—

H. B. 199. To require the sale of personal property on certain conditions to be in writing and recorded.

Also,

H. B. 200. To amend section one, two, and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

By Mr. Fitzpatrick—

H. B. 201. To amend section 971 of the Code.

By Mr. McLendon—

H. B. 202. To amend section 981 of the Code.



By Mr. Stone—

H. B. 203. To amend section 1399 of the Code of Alabama.

Also,

H. B. 204. To prohibit the sale, giving away, or otherwise disposing of any malt, vinous, or spirituous liquors within three miles of Shady Grove church, in Pickens county, Alabama.

By Mr. Stansel.

H. B. 205. To accept the grant made to the State of Alabama by act of congress, approved March 2, 1887, entitled an act to establish agricultural experiment stations in connection with the colleges established in the several States, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.

Also,

A memorial from the board of trustees of the Agricultural and Mechanical College, in respect to the appropriation of funds to complete, furnish and equip the main building of said college.

By Mr. Darby—

H. B. 206. To ratify and confirm the purchase of lands of the estate of Wm. M. Murphree, deceased, by the mayor and councilmen of Troy, and the contract made by said mayor and councilmen with the Public School Building Company of Troy, Alabama, for the payment of the buildings erected on said lands for the State normal school and the public schools operated in connection therewith.

Also,

H. B. 207. To amend section 968 of the Code.

Also,

H. B. 208. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing school lots in said city and of erecting, adding to, and improving school buildings and furnishing the same.

By Mr. Henderson (by request),

H. B. 209. To prevent stock from running at large in the several beats of Randolph county, and to authorize elections thereon.

By Mr. Nisbet—

H. B. 210. To prohibit the running of freight trains on Sunday in the State of Alabama.

Also,

H. B. 211. To amend section 7 of the Revenue Code of 1884 and 1885 of Alabama.

Also,

H. B. 212. To amend section 1, Article VIII of the Constitution of Alabama.

By Mr. Longshore—

H. B. 213. To amend section 1396 of the Code.

By Mr. McElderry—

H. B. 214. To establish boards of education in the several counties of this State for the regulation and control of the common schools therein, and to define the duties and powers thereof.

By Mr. Dupree—

H. B. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Tallapoosa county, approved March 1, 1870.

By Mr. Cochran—

H. B. 216. To amend section 6 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887.

By Mr. Clements—

H. B. 217. To provide for and regulate the pay of State witnesses in Tuscaloosa county.

By Mr. Cornelius—

H. B. 218. To authorize Wm. R. King, of Walker county, Alabama, to compound and sell drugs, to prescribe medicine to such as may apply to him, and to charge and collect money for such prescriptions.

Also,

H. B. 219. To prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters or beverages in beat 8 in Walker county.

By Mr. Bradley—

H. B. 220. To regulate the term of the circuit court in the county of Lamar, in the sixth judicial circuit of the State of Alabama, and to fix the time for holding the same.

By Mr. Mancill—

H. B. 221. To prohibit the selling or otherwise disposing of vinous, spirituous or other intoxicating liquors in any of the precincts in Covington county, unless the same shall first be submitted to a vote of the people.

By Mr. Lowe—

H. B. 222. For the proper ventillation and conduct of coal

mines or collieries in the State of Alabama, and providing for the creation of a State board of examiners for the examination of candidates for the office of mines inspector, and prescribing the mode of such inspectors' appointment, duties, and term of office, and providing for his compensation and that of the examiners.

The foregoing bills were severally read the first time and referred to appropriate committees as follows :

House bills 176, 177, 181, 182, 186, 193, 203, 216, 212, 220 to the judiciary.

House bills 189, 194, 201, 202, 211, 217 to revision of laws.

House bills 175, 178, 180, 188, 193, 206, 207, 214, and memorial from trustees of A. & M. College, to education.

House bills 173, 174, 179, 195, 208, 209 to local legislation.

House bills 183, 190, 204, 219, 221 to temperance.

House bills 184, 196, 197, 213, 215 to public roads and highways.

House bills 187, 222 to corporations.

House bills 200, 218 to public health.

House bills 191, 192, 210 to commerce and common carriers.

House bill 185 to appropriations.

House bill 205 to agriculture.

#### BILLS ON THIRD READING.

H. B. 16. To repeal an act entitled "an act to regulate the trials of misdemeanors in the county of Elmore, approved February 24th, 1887," and to provide for the disposition of certain cases now pending in the county court of Elmore county,

Was read a third time at length and passed—yeas 79 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Billingslea, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter,

Posey, Powell, Pratt, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—79.

On motion of Mr. Parker the bill just passed was ordered to be sent forthwith to the senate without engrossment.

H. B. 31. To allow justices of the peace and notaries public, ex officio justices of the peace, with powers of justice of the peace, in Lowndes county, to sentence to hard labor for the county persons convicted in their respective courts for the costs accruing in said courts;

Was taken up;

On motion of Mr. McElvey, the bill was amended so as to include the county of Lee in its provisions;

Various amendments were offered as follows :

By Mr. Mosely, to include the county of Limestone.

Mr. Clark, the county of Marion.

Mr. Allen, the county of Cleburne.

Mr. Parker, the county of Elmore.

Mr. Cornelius, the county of Walker.

Mr. Walker, the county of Madison.

Mr. McLeod, the county of Clarke.

Mr. Stowers, the county of Bullock.

Mr. Winston, the county of Marshall.

Mr. Kemp, the county of Monroe.

Mr. Lee, the county of Conecuh.

Mr. Longshore, the county of Shelby.

Mr. Woolf, the county of Marengo.

Mr. Paine, the county of Macon.

Mr. Pratt, the county of Autauga.

Mr. Patton, the county of Greene.

Mr. Brown, the county of Coosa.

On motion of Mr. Johnson, the bill and amendments were laid upon the table.

Mr. Johnson moved to reconsider the vote by which the bill and amendments were laid upon the table, and then moved to lay that motion on the table ;

The latter motion prevailed.

H. B. 36. To amend section 750 of the Code;

Was taken up.

Mr. Denson offered the following amendment, which was adopted :

Add, "The courts of the several circuits shall not be opened before noon of the first Monday of each term; *Pro-*

vided, that the circuit courts in the fifth judicial circuit may be opened at 10 a. m. of the first Monday of the term, in the discretion of the presiding judge."

Mr. Henderson offered the following amendment to the bill, which was adopted:

Add to section 1 the words; "*Provided further*, that the peremptory call of the docket shall not begin before 1 o'clock p. m."

The bill was read the third time at length and passed—yeas 79, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Richardson, Russell, Summers, Smisson, Smith, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—79.

Nay—Mr. Rabb—1.

H. B. 69. To regulate the payment of claims against the general fund of Randolph county;

Was read the third time at length and passed—yeas 77, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Miller, Mosely, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Posey, Powell, Pratt, Rattray, Richardson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf—77.

H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same relates to Cherokee county,

Was taken up;

On motion of Mr. Allen, the bill was amended so as to include the county of Cleburne.

On motion of Mr. Dykes, the bill was amended so as to include the county of Chilton.

The bill was read the third time at length and passed—yeas 86, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—86.

H. B. 33. To render inoperative the law commonly known as the "stock law" in the town of Lowndesboro, Lowndes county, Alabama,

Was read the third time at length and passed—yeas 84 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Russell, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—84.

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs, or animals of the dog kind, in the county of Cherokee;

Was read the third time at length and passed—yeas 82, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bogart, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cunningham, Curtis, Dark, Davie,



Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Russell, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—82.

H. B. 104. To authorize the town council of Jacksonville, Alabama, to prohibit the running at large of cows and hogs, and other animals, within the corporate limits of said town of Jacksonville;

Was read a third time at length and passed—yeas 80 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, McElderry, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Wolff, White of Geneva—80.

H. B. 112. To authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

Was read the third time at length and passed—yeas 81, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum,



Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—81.

H. B. 34. To repeal an act entitled an act to regulate the trial of misdemeanors in Macon county;

Was read the third time at length and passed—yeas 82, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Johnson, Kemp, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rattray, Richardson, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—82.

H. B. 57. To divide the county of Mobile into three revenue and road commissioners districts, and to provide for the election of revenue and road commissioners therein.

Was read the third time at length and passed—yeas 84, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—84.

H. B. 111. To repeal section 4078 of the criminal Code, so far as the same relates to Covington county.

Was read the third time at length.

On motion of Mr. Johnson, the bill was recommitted to the committee from whence it came.

On motion of Mr. Wiley, the vote by which the bill was

ordered to be recommitted to the committee was reconsidered.

Mr. Benners moved that the vote by which the bill was ordered to a third reading be reconsidered.

On motion of Mr. Rabb, Mr. Benners' motion was laid upon the table.

The hour of 2 o'clock p. m. having arrived, the house adjourned till to-morrow morning at 10 o'clock.

## EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
Wednesday, November 21, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Moore, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

The journal of yesterday was read and approved.

### LEAVES OF ABSENCE

Was granted Mr. Hardy till Monday next;

To Mr. Richardson till to-morrow;

To Mr. Adams till Tuesday next.

Mr. Smith, from committee on engrossed bills, reported as correctly engrossed house bills 1, 3, 6, 33, 34, 104, 107, 108.

### UNFINISHED BUSINESS.

The bill,

H. B. 111. To repeal section 4078 of the Criminal Code, so far as the same relates to the county of Covington,

Was taken up.

The bill was read the third time at length and lost—yeas 22, nays 58.

Yeas—Messrs. Adams, Brown, Carter, Darby, Dykes, Higgins, King, Maddox, Mancill, Miller, McLeod, Nelson, Parker, Richardson, Simmons, Summers, Tatum, Watson, Webb, Winston, Woolf, White of Geneva—22.

Nays—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Beaurdeaux, Bush, Blevins, Bradley, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Hampton, Hardy, Henderson, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Sowell, Smis-son, Smith, Stansel, Stone, Stowers, Williams, White of Dallas—58.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 3. To authorize the sale of certain copies of the Ala-bama Reports, and to fix the price thereof.

s. 4. To amend section 710 of the Code of Alabama.

s. 14. To amend section 3812 of the Code.

s. 16. To amend section 3544 of the Code.

s. 21. To incorporate the Guntersville, Fort Payne and Chattooga Valley Railroad Company.

s. 38. To establish a separate school district, to be known as the "Moss Grove School District," in Marengo county.

s. 18. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within five miles of Wheeler's Chapel church and Camp Ground church, in Marion county.

s. 39. To amend section three (3), and to repeal section five (5), of an act to regulate the fine and forfeiture fund of Lowndes county, and the disposal of moneys arising from fines, forfeitures and convict labor, approved February 7, 1885.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows:

- s. 14, 4, to the judiciary.
- s. 39, to local legislation.
- s. 21, to commerce and common carriers.
- s. 16, to revision of laws.
- s. 3, to public printing.
- s. 18, to temperance.
- s. 38, to education.

Mr. Wiley, from a joint committee, submitted the following report, which, on motion, was referred to the committee on appropriations.

The joint committee of the two houses having under consideration the resolution requiring them to consider and report what improvements and repairs are necessary and advisable to the capitol grounds and building, respectfully report that they recommend an appropriation of fifteen thousand dollars for this and the succeeding fiscal year, to be expended under the direction of the governor, in putting a new roof and other needed repairs upon the capitol building, including furniture in the public offices therein, and also on the capitol grounds.

November 21, 1888.

E. A. GRAHAM,  
W. H. TAYLOE,  
On part of the senate.  
A. A. WILEY,  
M. E. PRATT,  
W. N. KNIGHT,  
On part of the house.

## INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Adams—

H. B. 223. To provide for the election of superintendent of education for the county of Bibb, and to define his duties.

By Mr. Johnson—

H. B. 224. To change the boundary line between the counties of Blount and Jefferson;

Also,

H. B. 225. To form a new county, to be called the county of Milner.

By Mr. Williams—

H. B. 226. To provide for the election of county superintendents of education for the State.

By Mr. Denson—

H. B. 227. To amend section 1883 of the Code of 1886;

Also,

H. B. 228. To amend section 1890 of the Code of 1886.

By Mr. Maley—

H. B. 229. To amend an act entitled an act to prevent stock from running at large in the several beats in Chambers county.

By Mr. McLeod—

H. B. 230. For the relief of State witnesses in Clarke county, in cases where the State fails.

By Mr. Smisson—

H. B. 231. To amend an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money, approved February 28, 1887.

By Mr. White, of Dallas—

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for the interest on the public debt, and for public schools.

By Mr. Pettus (by request)—

H. B. 233. To amend section 15 of an act to provide a new charter for the city of Tuscumbia, approved February 28, 1887.

By Mr. Parker—

H. B. 234. To limit the hours of compulsory labor in any mechanical or manufacturing business in Elmore county.

By Mr. Files—

H. B. 235. To authorize an election to sell, give away or otherwise dispose of spirituous liquors and intoxicating bitters in Fayette county.

By Mr. Bogart (by request)—

H. B. 236. To amend an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove district, out of a part of township 5, range 6 east.

By Mr. Lowe (by request)—

H. B. 237. To confirm, amend and enlarge the charter of the Bessemer Dummy Line, and to change the name thereof.

Also,

H. B. 238. To confirm, amend and enlarge the charter of the Birmingham and Western Street Railway Company;

Also,

H. B. 239. To protect trespasser and property upon railroad rights of way.

By Mr. NeSmith (with notice and proof)—

H. B. 240. For the relief of M. L. Ussery, a teacher in a free public school.

By Mr. Kyle—

H. B. 241. To amend sections 2, 3, 4, 6, 14 and 33, of an act entitled an act to incorporate the district of Opelika, and provide for the government thereof.

By Mr. Meador—

H. B. 242. To define a lawful wire fence in the State of Alabama.

By Mr. Winston—

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of Confederate soldiers whose husbands were killed or died in said war and who have not since remarried.

Also,

H. B. 244. To amend section one of act entitled an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury.

By Mr. Ledyard—

H. B. 245. To authorize the election of an additional major in each regiment of State troops.

By Mr. Lewis—

H. B. 246. To create a lien upon the lands and improvements thereon in favor of mechanics, builders, contractors and material men, and to provide for the enforcement thereof.

Also,

H. B. 247. To amend sub-division 7 of section 453 and sub-divisions 22 and 40 of section 629 of the Code of 1886.

By Mr. Lay—

H. B. 248. To amend paragraph 1 of section 1664 of the Code of Alabama.

By Mr. Barnett (by request),

H. B. 249. To amend section 463 of the Code.

Also (by request),

H. B. 250. To repeal section 40 of an act entitled an act to



amend section 131 of the Revenue Law, Acts of 1886-87, and to re-enact section 549 of the Code of Alabama.

By Mr. McLendon (by request),

H. B. 251. To amend section 518 of the Code.

By Mr. Wiley (by request),

H. B. 252. To amend section 487 of the Code.

Also (by request),

H. B. 253. To amend section 496 of the Code.

Also (by request),

H. B. 254. To amend section 488 of the Code.

By Mr. Weaver—

H. B. 255. To repeal an act to provide for the keeping in better repair the public roads and highways of Morgan county.

By Mr. Pitts—

H. B. 256. To amend section 5775 of the Code of 1886.

By Mr. Hogue—

H. B. 257. To confine the jurisdiction of justices of the peace in criminal causes to their respective precincts.

Also,

H. B. 258. To fix the fees of the circuit clerk of Perry county.

By Mr. Carter—

H. B. 259. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1st to March 1st in stock districts already established in said county, or that may hereafter be established.

Also,

H. B. 260. To authorize the court of county commissioners of Pike county to levy a special tax in any such stock district as is now established or that may be hereafter established within said county for the purpose of building and maintaining line fences for such districts.

Also,

H. B. 261. To amend section 3712 of the Code of Alabama.

By Mr. Smith—

H. B. 262. To define and make the line between the counties of Russell and Lee through Marshall's Reserve.

By Mr. Longshore—

H. B. 263. To amend section 3 of an act to provide for the publication and distribution of the Code of Alabama, approved February 21st, 1887.

By Mr. Arrington—

H. B. 264. For the relief of soldiers maimed or disabled



during the late war, and the widows of Confederate soldiers who were killed or died in said war and who have not since married.

By Mr. McElderry—

H. B. 265. To repeal an act to provide for the more efficient working of the public roads in the county of Talladega.

By Mr. Cochrane—

H. B. 266. To amend section 3211 of the Code of Alabama.

By Mr. Clements—

H. B. 267. To amend section 3 and 4 of an act to more effectually secure competent and well qualified jurors in the several counties of this State, &c., approved February 28th, 1887.

By Mr. Cochrane—

H. B. 268. To amend section 4078 of the Code of Alabama.

By Mr. George—

H. B. 269. To amend section 2342 of the Code so far as it relates to Wilcox county.

By Mr. Long—

H. B. 270. To prevent stock raisers and herders living in other counties in this State from driving stock into Winston county in this State for the purpose of keeping and herding the same.

By Mr. Watson—

H. B. 271. To authorize and require the commissioners court of Crenshaw county to dispose of moneys arising from fines, forfeitures and convict labor.

By Mr. Denson—

H. B. 272. To prevent any person from treating another to vinous, spirituous or malt liquors in a drinking saloon or in a room run in connection with a drinking saloon.

By Mr. Mancill—

H. B. 273. For the relief of persons engaged in the practice of medicine in Covington county prior to the establishment of the medical board of said county.

By Mr. Shorter—

H. B. 274. To establish the Belcher school district in Barbour county.

Also,

H. B. 275. To incorporate Irby Female Seminary.

The foregoing bills were severally read one time and referred to committees as follows:

- To the judiciary,
  - House bills 228, 256, 231, 233, 227, 240, 266, 257, 246.
- Revision of laws,
  - House bills 230, 261, 263, 267, 242, 254, 253, 252.
- Ways and means,
  - House bills 250, 269, 251, 249, 247.
- Education,
  - House bills 236, 223, 226, 274, 275.
- Corporations,
  - House bills 237, 238.
- Appropriations,
  - House bills 232, 264, 243.
- Commerce and common carriers,
  - House bills 239, 224, 225.
- Counties and county boundaries,
  - House bill 262.
- Public roads and highways,
  - House bills 265, 255.
- Fees and salaries,
  - House bills 258, 244.
- Public health,
  - House bills 268, 273.
- Privileges and elections.
  - House bill 235.
- Temperance,
  - House bill 272.
- Military,
  - House bill 245.
- Local legislation,
  - House bills 260, 241, 259, 234, 270, 271, 229.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bill :  
 s. 20. To amend an act entitled an act to prescribe the term of office of members of the court of county commissioners of Morgan, Cherokee, St. Clair and Cleburne counties, and to fix their compensation, approved February 26, 1887, so far as the same relates to the counties of Morgan, Cherokee and St. Clair.

W. L. CLAY,  
 Secretary.

## SENATE MESSAGE.

The senate bill 20, above mentioned, just received, whose title is set forth, was read first time, referred to the committee on local legislation.

## REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably, by way of substitute, with a minority report to

H. B. 13. To provide for funding and paying the legal debts of the city of Selma, created prior to December 6, 1875.

The substitute was adopted.

On motion of Mr. Benners, the vote by which the substitute was adopted was reconsidered.

Mr. Ledyard moved that the majority and minority reports, the substitute and the bill, be placed on the calendar.

Mr. Clements rose to a point of order that Mr. Ledyard's motion was out of order. The point of order was sustained.

Mr. Rabb moved that the minority report be substituted for the majority report.

Mr. Hundley offered the following, as a substitute for Mr. Rabb's motion :

"That the minority report be received, together with the majority report, and both to be considered together, when the bill comes up for final passage."

Adopted.

Also, with amendment—

H. B. 71. To amend section 2719 of the Code of Alabama, so that if the suit is by a mortgagee, or by his assignee, against the mortgagor, or one holding under him, if the mortgage debt is ascertained to be less than the value of the property sued for, then the judgment must be for the property or the amount of the mortgage debt.

Also, with amendment—

H. B. 55. To provide for the sale of property of minors in order to remove the proceeds thereof from the State.

Also,

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 18, 1887.

Also, with amendment.

H. B. 158. To amend section 2721 of the Code of Alabama.

AN AMENDMENT.

H. J. R. 1. Proposing amendment to section 2 of Article XI of the Constitution, with majority and minority reports. The foregoing bills and joint resolution were severally read a second time and put on the calendar.

Mr. Stansel, from the committee on revision of laws, reported favorably to the following bills:

H. B. 25. To amend section 3027 of the Code of Alabama.

Also,

H. B. 140. To amend section 453 of the Code.

Also,

H. B. 4. Authorizing the payment of fines and forfeitures with certain claims, in Cherokee county.

Also, with amendment.

H. B. 84. To amend section 3089 of the Code of 1886.

Also,

H. B. 139. To regulate the fees of constables in criminal cases in Macon county.

Also,

H. B. 147. To repeal section (4) four of an act entitled an act to provide for the election and regulation of justices of the peace and constables in that part of the county of Mobile which was included within the corporate boundaries of the city of Mobile, as the same was formerly incorporated, approved February 12, 1885.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Lay, from the committee on ways and means, reported favorably to the following bills:

H. B. 132. To authorize the repayment to certain parties therein named school moneys overpaid by them into the state treasury.

Also,

H. B. 167. To repeal paragraph 35 of section 629 of the Code of Alabama.

Also,

H. B. 162. To exempt certain property from taxation.

The foregoing bills were severally read a second time, and placed on the calendar.

Mr. Nisbet, from the committee on agriculture, reported favorably to the following bills:

With an amendment,

H. B. 72. To amend section 134 of the Code of 1886.

Also, with amendment,

H. B. 74. To amend section 136 of the Code of 1886.

Also, with amendment,

H. B. 76. To amend section 149 of the Code of 1886.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably on the governor's report of pardons, commutations and reprieves 1886-88, with reasons therefor, which was accepted and approved.

Mr. Lee, from the committee on temperance, reported favorably on the following bills :

H. B. 52. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, in McKinley beat, Marengo county.

Also,

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors in all places in this State, except in incorporated towns and cities having police regulations.

Also,

H. B. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials within three miles of Liberty Coosa Missionary Baptist church and also Young's Chapel Methodist church, all in Etowah county, Alabama.

Also,

H. B. 135. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous, or malt liquors, intoxicating bitters or beverages, nearer the Methodist church at Rogersville, Lauderdale county, than the beat line in every direction from said church.

The foregoing bills were severally read a second time, and placed on the calendar.

Mr. Davie, from the committee on public health, reported favorably on the resolution providing for a quarantine conference, with an amendment, adding the States of Georgia, South Carolina, and Tennessee, which, as amended, was adopted.

Mr. Johnson, from the committee on counties and county boundaries, reported favorably the following bills :

H. B. 121. To change the boundary line between the counties of Butler and Crenshaw.

H. B. 159. To provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

H. B. 60. To provide for the election of a county solicitor, by a vote of the qualified voters, in the county of Marshall, (with amendment.)

The foregoing bills were severally read a second time, and placed on the calendar.

Mr. Watson, from the committee on local legislation, reported favorably the following bill:

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

The foregoing bill was read a second time and placed on the calendar.

Mr. Smith offered the following resolution, which was adopted:

*Resolved*, That the clerk of the house, and the engrossing clerk of the house, be authorized to employ additional clerical assistance whenever necessary to do so.

#### BILLS ON THIRD READING.

The bill,

H. B. 110. To repeal section 4193 of the Code, 1886 so far as the same relates to the county of Covington,

Was taken up, and after discussion Mr. Ledyard moved to re-commit the bill to the committee on the revision of laws, the bill to retain its place on the calendar.

Adopted.

The bill,

H. B. 59. To permit the people of Marshall county to elect their county commissioners by a vote of the qualified electors of each commissioner's district in said county,

Was read the third time at length and passed. Yeas 85, nays, 0.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, George, Hardy, Henderson, Higgins, Hund-

ley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas.—85.

H. B. 63. To fix the time of holding the circuit courts in the counties composing the fourth judicial circuit.

Was read the third time at length and passed. Yeas 88, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—88.

On motion of Mr. Pitts, the bill just passed was ordered to the senate forthwith without engrossment.

H. B. 44. To fix the time and place of holding the circuit courts in the several counties of the eighth judicial circuit of the State of Alabama,

Was read the third time at length and passed. Yeas 84, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rattray, Sowell, Smis-



son, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—84.

Mr. Pettus returned

H. B. 35 from the judiciary and asked that it be referred to ways and means. It was so ordered.

On motion of Mr. Pettus

H. B. 13 was made the special order for to-morrow immediately after the reading of the journal.

Mr. Lay offered the following resolution, which was referred to the committee on rules :

When a bill is reported favorably to the house, and a minority report accompanies the favorable report, the minority report shall be considered an amendment, and the bill shall be read a second time ; said bill and minority report shall be placed upon the calendar, and be considered on the third reading of the bill.

Mr. Nisbet offered the following resolution, which was adopted ;

*Resolved*, That the Legislative Hall of the House of Representatives be tendered the National Congress of Farmers, for the purpose of holding their sessions, to be held in this city in November next, 1889.

The hour of 2 p. m. having arrived, the house adjourned till to-morrow morning at 10 o'clock.

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## NINTH DAY.

HOUSE OF REPRESENTATIVES,  
Thursday, Nov. 22, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Moore of the city.

The journal of yesterday was read and approved.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Beaurdeaux, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon,

McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva--95.

Mr. Benners moved to reconsider the vote by which the bill,

H. B. 63. To fix the time of holding the circuit courts in the counties composing the fourth judicial circuit.

Was passed on yesterday. The vote was reconsidered, and on the motion of Mr. Benners, the vote by which the bill was ordered to a third reading, was reconsidered.

Mr. Pitts moved to amend subdivision 2, by inserting "Dallas" where "Hale" occurs, and subdivision 3, by inserting "Hale" where "Dallas" occurs.

The amendments were adopted and the bill was read a third time at length and passed--yeas 90, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Lowe, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed,

H. B. 14. For the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same, which have been or may be hereafter patented to this State.

H. B. 15 To amend and ratify the charter of the Selma Land Improvement and Furnace Company.

W. L. CLAY,  
Secretary.

Mr. Miller, from the committee on enrolled bills, made the following report—

*Mr. Speaker :*

The committee on enrolled bills report H. B. No. 14, and H. J. R. relating to a quarantine conference properly enrolled.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, signed—

H. B. 14. For the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same, which have been or may be hereafter patented to this State.

And joint resolution relative to quarantine conference, After the title had been publicly read by the clerk.

Mr. Smith, from committee on engrossed bills, reported as follows—

*Mr. Speaker :*

The committee on engrossed bills report the following house bills correctly engrossed, to-wit: Nos. 36, 44, 48, 57, 59, 69, and 112.

JOHN V. SMITH,  
Chairman.

#### SPECIAL ORDER.

H. B. 13. To provide for fixing and paying the legal debts of the city of Selma, created prior to December 6th, 1875, Was taken up as the special order of this hour.

Mr. White, of Dallas, moved to amend, by striking out section 9, as it now stands, and substituting the following :

Section 9. That all coupons upon the bonds issued hereunder shall be received in payment of any and all taxes, dues and debts, fines and forfeitures due the municipal corporation of Selma, except licenses, and the bonds issued hereunder shall be exempt from county and municipal taxation;

Also,

To amend section 11, by striking out the words "except section 4 thereof, which is not repealed hereby."

Mr. Rabb moved to amend the offered substitute for section 9 by adding thereto the words "within Dallas county."

Those who voted yea, are :

Messrs. Benners, Bogart, Beurdeaux, Bradley, Carter, Clark, Curtis, Darby, Dykes, Higgins, King, Lee, Mancill, Mosley, McLendon, Nelson, NeSmith, Powell, Rabb, Richardson, Simmons, Summers, Wade, Wiley, Winston, White of Geneva—26.

Those who voted nay, are :

Messrs. Speaker, Anderson, Arrington, Bevis, Billingslea, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, McElderry, McElvey, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Webb, Williams, Wolff, White of Dallas—59.

The hour of 12 o'clock having arrived, Mr. White of Dallas, moved to suspend the regular order of business and to continue the special order till disposed of.

The motion was carried.

Mr. Pettus called for the previous question on the bill and pending amendments, and moved the adoption of the substitute.

The substitute was adopted,

And the amendments offered by Mr. White, of Dallas, to sections 9 and 11 were adopted.

The bill was read the third time and passed—yeas 64, nays 21.

Those who voted aye, are :

Messrs. Speaker, Allen, Anderson, Bevis, Billingslea, Beurdeaux, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Maley, Meador, Miller, McElderry, McElvey, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Smisson, Smith, Stansel, Stone, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva.—64.

Those who voted nay, are :

Messrs. Benners, Bogart, Blevins, Higgins, Hogue, Kemp,

King, Lee, Longshore, Mancill, Moseley, McLendon, Nelson, NeSmith, Powell, Rabb, Sowell, Summers, Wade, Wiley, Winston—21.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has concurred in the house joint resolution in relation to inviting the States of Texas, Louisiana, Georgia, South Carolina, Tennessee, Mississippi and Florida to appoint delegates to the Quarantine Conference.

W. L. CLAY,  
Secretary.

MESSAGE FROM THE SENATE.

*Mr. Speaker—*

The senate has originated and passed the following bills :

s. 30. To amend section 5 of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17th, 1887.

s. 32. To require justices of the peace and other committing magistrates to report all cases of persons held by them on preliminary trial to the grand jury on the second day of each term of the circuit and city courts.

s. 50. To allow the transfer of instruments in writing given to secure debts to the surety or sureties paying the debt.

s. 33. To amend section 4002 of the Code.

s. 13. To fix the time for taking up the criminal docket of the circuit court of Lee county.

s. 26. To regulate the summoning of witnesses in criminal cases in the circuit courts of Hale, Perry, Dallas, Lowndes and Wilcox counties.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committee as follows :

Judiciary, senate bills 13, 26, 50, 30.

Penitentiary and criminal administration, s. 33.

Revision of laws, s. 32.

Mr. Ledyard moved to suspend the regular order of business and proceed to the call of the counties,

Which motion was carried.

#### CALL OF COUNTIES.

On the call of the counties, bills were introduced, as follows:

By Mr. Rabb—

H. B. 276. To provide for the public printing of the State.

By Mr. Lay—

H. B. 277. To authorize the county of Mobile to make and issue bonds to the amount of one hundred and sixty-nine thousand dollars, for the purpose of redeeming and reducing certain bonds of equal amount to become due.

By Mr. King—

H. B. 277½. To prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat No. 5, in the county of Butler, and to prescribe a rule of damages, and the rules of practice in the trials of cases under this act.

By Mr. Cornelius—

H. B. 278. To designate and establish the line between Blount and Walker and Jefferson counties.

By Mr. Lee—

H. B. 280. To amend section 3812 of the Code of Alabama.

By Mr. Higgins—

H. B. 281. To amend section 475 of the Code.

Also,

H. B. 282. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Cullman, Hale and Greene, so far as the same applies to the county of Cullman.

Also,

H. B. 283. To repeal an act entitled an act "for the preservation of game animals in Limestone, Cullman and Madison counties," so far as the same applies to the county of Cullman.

Also,

H. B. 284. To repeal an act entitled an act to protect game in Cullman county.

By Mr. White, of Dallas—



H. B. 285. For the relief of any persons who elect to perform hard labor for the county under section 4290 of the Code.

By Mr. White, of Geneva—

H. B. 286. To repeal an act to regulate the pay and mileage of jurors and commissioners of Geneva county, and to provide for the payment of the same, approved January 27, 1872.

By Mr. Bogart—

H. B. 287. To amend an act to change the manner of appointing overseers and apportioners of roads in the county of Russell, the provisions of which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled "an act to repeal and amend the road law in Jackson county."

By Mr. Porter—

H. B. 288. To amend section 2331 and 2332 of the Code of Alabama.

Also,

H. B. 289. To amend section 2335 of the Code.

By Mr. Paine—

H. B. 290. For the preservation of game animals, birds and fish, in Macon county.

By Mr. Hundley—

H. B. 291. To provide for the payment of wages of workmen employed in mines and factories in the State of Alabama, in lawful money of the United States, and to protect such workmen in the management and control of their own earnings.

Also,

H. B. 292. To give laborers, workmen, mechanics and all who work for wages by the day, week or month, a lien on the product of their labor for the amount of their wages.

By Mr. Clark—

H. B. 293. To repeal an act entitled "an act to repeal an act to regulate the publication of legal notices in Shelby and other counties therein named, approved March 3, 1870, so far as the same relates to Marion county, approved February 4, 1885.

Also,

H. B. 294. To incorporate the town of Winfield, Marion county, Alabama.

By Mr. Ledyard—

H. B. 295. To amend sections 2 and 4 of "an act to facil-



itate the giving of bonds required by law and authorizing certain corporations to become sole surety therein," approved February 28, 1887.

By Mr. Kemp—

H. B. 296. To amend the act approved February 28, 1887, entitled "an act to divide the State into four chancery divisions, so far as the same relates to the place of holding court in the eleventh district of the southwestern chancery division."

By Mr. Barnett, by request—

H. B. 297. For the removal of the State Normal School and University from Marion, Perry county, to change the name of the same to the State Normal School, and to provide for the control and maintenance of the same.

By Mr. Fitzpatrick—

H. B. 298. To amend sections 1, 3, 5, and 9 of "an act to organize and regulate a system of public instruction for the State of Alabama," approved February 7, 1879, and amendments thereto, approved February 28, 1889.

Also,

H. B. 299. To repeal "an act to regulate the collection of the poll tax in this State."

By Mr. Longshore—

H. B. 300. To regulate the terms of the various State and county officers of this State.

By Mr. Arrington—

H. B. 301. To amend section 4556 of the Code.

By Mr. Webb—

H. B. 302. To repeal an act entitled "an act for the preservation of game animals and birds, in the counties of Mobile, Talladega, and other counties, approved February 13, 1879, so far as the same relates to beat No. 7, in the county of Talladega.

By Mr. George—

H. B. 303. To amend "an act to provide for feeding prisoners after they are sentenced to be confined in the penitentiary," approved February 28, 1887.

The foregoing bills were severally read one time and referred to appropriate committees as follows:

House bills 292, 291, 289, 288, and 296 to the judiciary.

House bills 290 and 300 to revision of laws.

House bill 281 to ways and means.

House bills 293, 286, 302, 284, 283, 282, 277½, to local legislation.

House bills 303, 301, and 285 to penitentiary and criminal administration.

House bills 297, 298, and 299 to education.

House bills 294, and 295 to corporations.

House bill 276 to public printing.

House bill 287 to public roads and highways.

House bill 280 to agriculture.

House bill 278 to counties and county boundaries.

House bill 277 to special committee, consisting of the representatives from Mobile county.

#### JOINT RESOLUTION.

Mr. Denson offered the following joint resolution, which was adopted:

*Whereas*, The act approved February 21, 1887, which provides for the publication of the Code of Alabama, prescribes that the Civil Code shall contain sections one to thirty seven hundred and fourteen, both inclusive, and that the second volume shall contain the Criminal Code from section four thousand to section five thousand one hundred and ninety-nine, both included; and

*Whereas*, the Civil Code, as published, ends with section 3693, and the (second volume) the Criminal Code as prescribed, begins with section 3699 instead 4000, and ends with section 4899; and

*Whereas*, It appears that there are contained in the Criminal Code about 300 sections for the publication of which, in said volume, the act above mentioned did not provide; therefore,

*Resolved by the House*, (the senate concurring,) That a joint committee, to be composed of three on the part of the house and two from the senate, be appointed, whose duty it shall be to investigate the matter herein referred to and ascertain if any legislation is necessary on the subject, said committee to report by bill or otherwise, at as early a day as practicable.

The committee on the part of the house are Messrs. Denson, Porter, and Mancill.

Mr. Stansel offered the following resolution:

*Whereas*, The Hon. James M. Bullock, a member elect to this house from the county of Greene, has passed away from the walks of men; be it therefore

*Resolved, 1st.* That in the death of the Hon. J. M. Bul-

lock the State of Alabama has sustained the loss of an excellent citizen, this house of a valuable member and wise counsellor, and the county of Greene one of her best and most honored sons.

2. *Resolved*, That we deplore this sad event, and as an evidence of respect for the memory of our deceased brother, that a day be set for action on these resolutions in accordance with the time-honored custom of the general assembly of Alabama on such occasions.

On motion of Mr. Patton, the consideration of the above resolution was made the special order for Saturday, the 24th instant, at 1 o'clock p. m.

#### REPORT OF STANDING COMMITTEES.

Mr. Cunningham, from the committee on accounts and claims, reported favorably the bill,

H. B. 155. For the relief of T. P. Chapman, late sheriff of Pickens county.

Mr. Pitts, from a special committee, reported favorably the bill,

H. B. 125. To amend section 716 of the Code of Alabama, fixing the times and places of holding the chancery courts in the southeastern chancery division.

Mr. Pettus, from the judiciary committee, reported favorably, with a substitute, the bill,

H. B. 37. To amend section 2732 of the Code;

Also, with an amendment and minority report,

H. B. 91. To authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water-works, and the payment of the city's indebtedness;

Also, with an amendment,

H. B. 150. To amend paragraph numbered 1 of section 1525 of the Revised Code of Alabama;

H. B. 176. To authorize judges of probate to pay over to minors certain funds and take their receipt for the same;

H. B. 177. To amend section 2756 of the Code of 1886;

H. B. 181. To establish a sinking fund commission for Selma;

H. B. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State;

H. B. 198. To prevent perjury and punish the same;

H. B. 203. To amend section 1399 of the Code of Alabama;

H. B. 216. To more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887;

With amendment,

s. 27. To amend section 1399 of the Code.

Mr. Stansel, from the committee on revision of laws, reported favorably the bills,

H. B. 213. To amend section 1396 of the Code.

H. J. R. 3. To provide for submitting the question of a constitutional convention to the people.

H. B. 217. To provide for and regulate the pay of State witnesses in Tuscaloosa county;

H. B. 211. To amend section 7 of the Revenue Code of 1884 and 1885 of Alabama;

s. 17. To amend section 835 of the Code;

With amendment,

H. B. 110. To repeal section 4193 of the Code of 1886, so far as the same relates to the county of Covington.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 180. To establish a separate school district in Conecuh county, within certain limits;

H. B. 137. To establish a separate school district in the county of Limestone, to be known as Union district.

Mr. McElderry, from the committee on public roads and highways, reported favorably the bill,

H. B. 165. To repeal an act to amend section 1630 of the Code of Alabama of 1876, as to the county of Wilcox, approved February 11, 1887;

H. B. 11. To repeal an act entitled "an act to provide for the more efficient working of the public roads in Dallas county."

Mr. Lay, from the committee on ways and means, reported favorably to the bill,

H. B. 166. To provide depositories for the funds of the State.

The foregoing bills, and house joint resolution 3, were severally read a second time and placed on the calendar.

Mr. Pettus, from the committee on rules, reported favorably the following house rule No. 52, which was adopted:

When a bill is reported favorably to the house and a mi-

nority report accompanies the favorable report, the minority report shall be considered an amendment, and the bill shall be read a second time; and said bill and minority report shall be placed on the calendar and be considered on the third reading of the bill.

The committee on revision of the laws returned house bills 201-202-7 and 61, and they were referred to the committee on education.

The judiciary committee returned H. B. 172, which was referred to the committee on appropriations.

The hour of 2 o'clock p. m. having arrived, the house stood adjourned till 10 o'clock to-morrow morning.

## TENTH DAY.

HOUSE OF REPRESENTATIVES,  
Friday, November 23, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Winston, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—95.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted to Messrs. Allen, Bush and Billingslea, indefinitely on account of sickness; to Mr. Pratt till Tuesday next; to Mr. Nisbet till 11 o'clock a. m. Monday next; to

Mr. Carter till Monday next, and to Mr. Hogue for to-morrow.

On motion of Mr. Rabb 250 copies were ordered printed of the H. B. 276 for the use of the house.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 45. To amend section 1347 of the Code.

s. 34. To amend section 3932 of the Code.

s. 49. To codify the local laws of each county in this State.

s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office.

s. 54. To provide for the insuring and repairing upon the property of the State under the management and control of the Alabama Institute for the deaf, and to make appropriation therefor.

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

s. 46. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors at or within two miles of Bethlehem Baptist church, in beat 9, Barbour county, and ordered the following bill forthwith to the house without engrossment :

s. 35. To ratify the consolidation of the Mobile, Hattiesburg and Jackson railroad companies of Alabama and Mississippi under the name of the Mobile, Jackson and Kansas City Railroad Company, and to confer further franchises on said consolidated company.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committee as follows :



- s. 34 to judiciary.
- s. 49, s. 45 to revision of laws.
- s. 54 to appropriations.
- s. 33 to penitentiary and criminal administration.
- s. 57 to fees and salaries.
- s. 46 to temperance.
- s. 44 to local legislation.
- s. 35 to commerce and common carriers.

#### CALL OF COUNTIES.

On the call of the counties, the following bills were introduced :

By Mr. Lee—

H. B. 304. To punish the wilful communication of certain contagious diseases to other persons ;

By Mr. Smisson—

H. B. 305. To make a separate school district in Dale county to be known as Sylvan Grove District ;

By Mr. Pettus, (by request, with notice and proof)—

H. B. 306. To incorporate the Selma Park Association ;

By Mr. Blevins—

H. B. 307. To amend an act entitled an act to raise the standard of scholarship required for teachers of the third grade in the public schools of the State, approved February 26, 1887 ;

By Mr. Wade—

H. B. 308. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors within four miles of Cove Creek Cumberland Presbyterian church in Etowah county ;

By Mr. Bogart, (by request)—

H. B. 309. To supply the county of Jackson with a tract book ;

By Mr. Sowell—

H. B. 310. To prohibit the sale of vinous or spirituous liquors within two miles of State Line Church in Limestone county.

By Mr. Hundley—

H. B. 311. To provide for the working, keeping up, repairing and improving the public roads, and opening and making new public roads in Madison county, and to create a board in said county to have general supervision of all public roads therein, for the working of which money is paid out of the county treasury.



By Mr. Winston—

H. B. 312. To amend section 1869 of the Code of 1886.

By Mr. Anderson (with notice and proof),

H. B. 313. To require the Louisville and Nashville railroad company to build a fence on a part of its track in Mobile county.

By Mr. Lewis—

H. B. 314. To fix the fees of coroners.

By Mr. Longshore (by request),

H. B. 315. To provide for and regulate the sale of vinous, spirituous or malt liquors in the corporation limits of the town of Calera, Shelby county.

By Mr. Clements—

H. B. 316. To amend an act entitled "an act to establish the Marion Agricultural District, to provide for the securing the same, and the management of its affairs," approved February 12, 1879, and amended by the general assembly and approved February 16th, 1885.

By Mr. Dykes—

H. B. 317. To repeal an act entitled "an act to establish a court of county revenues for Chilton county," approved February 28, 1887.

By Mr. Mancill—

H. B. 318. To incorporate the Covington and Escambia Alliance Navigation and Transportation Company.

By Mr. Pettus—

H. B. 319. To amend section 215 of the Code.

Also,

H. B. 320. To amend section 214 of the Code.

By Mr. Hundley—

H. B. 321. To amend an act entitled "an act granting right of way to the Nashville and Chattanooga railroad company through Jackson county, and the privilege of constructing a bridge across Tennessee river in said county," approved January 21, 1850.

By Mr. Barnett—

H. B. 322. To prohibit hunting or trapping of game on lands of another in beats 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, and 13 in Montgomery county, without the permission of the owner of the land or his or her agent.

By Mr. Henderson—

H. B. 323. To provide for registration and lien of judgments of justices of the peace for the payment of money by motion in the circuit court.

By Mr. Mr. McLendon—

H. B. 324. To amend sub-division 4 of section 968 of the Code.

By Mr. McRee—

H. B. 325. To prevent persons from hunting with gun or dog upon the lands of another in the county of Lowndes, without first obtaining permission and consent from the owner or agent of said land.

By Mr. Lee—

H. B. 326. For the preservation of game in Gravella beat No. 10, in Conecuh county.

By Mr. McElderry—

H. B. 327. To provide for the number of days a hand shall be required to work on the public roads consecutively.

By Mr. Pettus (by request),

H. B. 328. To amend section 1 of "an act to authorize a subscription by the State to an Index Digest of Alabama Reports," approved February 23, 1887.

By Mr. George—

H. B. 329. To amend sections one, two and three of an act to regulate the taking up of stock in districts where stock of any kind is prevented by law from running at large therein in Wilcox county.

By Mr. White, of Dallas—

H. B. 330. To punish the crime of rape and assault with intent to ravish.

By Mr. Wiley—

H. B. 331. To amend section 11 of an act entitled "an act to provide for the publication and distribution of the Code of Alabama," approved February 21, 1887.

By Mr. Pitts—

H. B. 332. To amend section 2755 of the Code.

By Mr. Stowers—

H. B. 333. To prohibit the manufacture of distilled alcoholic liquors in this State.

The above and foregoing bills were severally read one time and referred to appropriate committees as follows:

House bills 332, 330, 328, 321, 320, 319, 313, to judiciary.

House bill 318 to commerce and common carriers.

House bills 312, 316, 322, to revision of laws.

House bill 309, to ways and means.

House bill 304, to public health.

House bill 327, to public roads and highways.

House bill 306, to corporations.

House bills 305, 307, 324, to education.

House bills 308, 310, 333, to temperance.

House bills 315, 317, 326, 325, 329, to local legislation.

House bills 314, 331, to fees and salaries.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Stansel, from the committee on revision of laws, reported favorably the following bills :

Substitute for,

H. B. 194. To amend sections 762 and 763 of the Code of 1886.

Also, with substitute,

H. B. 189. To amend section 1913 of the Code.

Mr. Fitzpatrick, from the committee on education, reported favorably the following bills:

H. B. 274. To establish the Belcher school district, in Barbour county.

Also,

s. 38. To establish a separate school district to be known as the Mossgrove school district, in Marengo county.

Mr. Nisbet, from the committee on agriculture, reported favorably the following bills:

H. B. 38. To establish a branch agricultural experimental station and branch agricultural school in north Alabama.

H. B. 75. To amend section 137 of the Code of 1886.

H. B. 205. To accept the grant made to the State of Alabama by act of congress, approved March 2, 1887.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably the following bills:

H. B. 191. To amend section 4108 of the Code of Alabama.

s. 21. To incorporate the Guntersville, Fort Payne and Chattanooga Valley Railroad Company.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably the following bills:

H. B. 285. For the relief of any person who elect to perform hard labor for the county, under section 4290 of the Code.

H. B. 303. To amend "an act to provide for feeding prisoners after they are sentenced to be confined in the penitentiary," approved February 28, 1887.

H. B. 301. To amend section 4556 of the Code.

s. 33. To amend section 4002 of the Code.

Mr. Lowe, from committee on corporations, reported favorably the following bills:

H. B. 25. To provide for increasing the capital stock of building and loan associations.

H. B. 90. To provide for a charter for the city of Jasper, in Walker county, Alabama.

Also,

H. B. 45. To incorporate the Farmers Alliance Exchange of Alabama.

Mr. Lee, from the committee on temperance, reported favorably the following bills:

s. 18. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous liquors, intoxicating bitters or beverages, within five miles of Wheeler's Chapel church and Camp Ground church, in Marion county, Alabama.

H. B. 219. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages within beat No. 8 in Walker county, Alabama.

H. B. 204. To prohibit the sale, giving away, or otherwise disposing of any malt, vinous or spirituous liquors, within three miles of Shady Grove church, in Pickens county, Alabama.

H. B. 190. To prohibit the sale of alcoholic liquors, and vinous spirits, within three miles of the Cumberland Presbyterian and Methodist churches at Maysville, Madison county, Alabama.

H. B. 183. To prohibit the sale, giving away, or otherwise disposing of any vinous, spirituous, or malt liquors, intoxicating bitters or cordials within one and a half miles of Pleasant Hill Baptist church, in Cox's beat, in Etowah county.

Mr. Watson, from the committee on local legislation, reported favorably the following bills:

H. B. 229. To amend an act entitled an act to prevent stock from running at large in the several beats of Cherokee county.

H. B. 195. To repeal an act to authorize the tax collector of Marion county to collect the unpaid taxes for the years 1880, 1881, 1882, 1883, and to pay the same to J. R. Hughes, late tax collector of said county, for the purpose of reimbursing the said J. R. Hughes for money paid to State and

county on account of said taxes, approved February 28, 1887.

H. B. 209. To prevent stock from running at large in the several beats of Randolph county, and to authorize elections thereon.

H. B. 260. To authorize the court of commissioners of Pike county to levy a special tax in any such stock district as is now established or that may be hereafter established within said county for the purpose of building and maintaining line fences for such districts.

H. B. 173. To regulate the purchase of cotton in the seed by manufacturers of cotton products, in those sections of Barbour county where the sale of cotton in the seed is now prohibited by law.

H. B. 234. To limit the hours of compulsory labor in any mechanical or manufacturing business in Elmore county.

H. B. 259. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1st to March 1st in stock districts already established in said county, or that may hereafter be established in said county.

H. B. 174. To provide for and regulate the pay of State witnesses, in Bibb county.

H. B. 179. To give the court of county commissioners of Cleburne county exclusive control of the public printing in said county, and to authorize said court to make all contracts in relation thereto.

H. B. 208. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose of purchasing school lots in said city, and of erecting, adding to and improving school buildings and furnishing the same.

H. B. 241. To amend sections two (2), three (3), four (4), six (6), fourteen (14), and thirty-three (33) of an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 16, 1885.

H. B. 271. To authorize and require the commissioners court of Crenshaw county to dispose of moneys arising from fines, forfeitures and convict labor.

s. 39. To amend section three (3), and to repeal section five (5), of an act to regulate the fine and forfeiture fund of Lowndes county, and the disposal of moneys arising from

finer, forfeitures and convict labor, approved February 7, 1885.

s. 20. To amend an act entitled an act to prescribe the term of office of members of the court of county commissioners of Morgan, Cherokee, St. Clair and Cleburne counties, and to fix their compensation, approved February 26, 1887, so far as the same relates to the counties of Morgan, Cherokee and St. Clair.

Mr. Johnson, from the committee on counties and county boundaries, reported the following bill favorably—

H. B. 262. To define and establish the line between the county of Russell and the county of Lee through Marshall's Reserve.

Mr. McElderry, from the committee on public roads and highways, reported favorably the following bills—

H. B. 196. To provide for furnishing tools to work the public roads by the court of county commissioners in Marshall county, and to provide for the safekeeping of said tools.

H. B. 265. To repeal an act to provide for the more efficient working of the public roads in the county of Talladega.

H. B. 184. To require the commissioners of roads and revenue of Greene county to execute bonds.

H. B. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Tallapoosa county, approved March 1, 1870.

H. B. 255. To repeal an act to provide for the keeping in better repair the public roads and highways of Morgan county.

Mr. Lay, from the committee on ways and means, reported favorably the following bill—

H. B. 251. To amend section 518 of the Code.

Mr. Lay, from a special committee of the Mobile delegation, reported favorably the following bill—

H. B. 277. To authorize the county of Mobile to make and issue bonds to the amount of one hundred and sixty nine thousand dollars for the purpose of redeeming and retiring certain bonds of equal amount to become due.

Mr. Wiley, from the committee on fees and salaries, reported favorably the following bills—

H. B. 171. To regulate State witnesses fees in Hale county, and to provide for the payment of the same.

H. B. 258. To fix the fees of the circuit clerk of Perry county.



Mr. Lee, from the committee on temperance, reported favorably the following bill—

H. B. 272. To prevent any person from treating another to vinous, spirituous or malt liquors in a drinking saloon or in a room run in connection with a drinking saloon.

Mr. Lay, from committee on ways and means, returned H. B. 269, and asked that it be referred to the judiciary committee.

It was so ordered.

Mr. Fitzpatrick, from committee on education, returned house bill 103 and asked its reference to committee on corporations, and house bill 154, and asked its reference to committee on accounts and claims.

It was so ordered.

Mr. Watson, from committee on local legislation, returned H. B. 270, and asked that it be referred to the judiciary committee.

It was so ordered.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has adopted a joint resolution authorizing the joint committee under section 34 of Code, to employ competent experts as clerks and to sit during recess;

And has passed—

H. B. 18. To authorize the county of Henry to borrow money and to issue bonds for the purpose of building a court house and jail for the use of said county at Abbeville, Alabama.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate joint resolution referred to in the above message was concurred in.

#### RESOLUTIONS.

Mr. Wiley offered the following resolution, which was adopted:

*Resolved*, That the report of the adjutant-general of the Alabama State troops, referred to by the governor in his recent message to the general assembly, be printed as one



of the documents accompanying said message, and to be distributed therewith for the information of this house, the State troops and of the people of Alabama.

Mr. Denson offered the following resolution, which was adopted:

*Resolved*, That it is the sense of the house that joint rule for the government of the two houses, numbered five, is calculated to bring about confusion in the working of the two houses, and that the members of the joint committee on the part of the house are hereby requested to confer with the members of the committee on the part of the senate, and consider the propriety of rescinding the joint rule numbered five.

Mr. Johnson offered the following resolution:

*Resolved*, That all local prohibition bills on the calendar be referred to a special committee of three, of whom the chairman of the committee on temperance shall be chairman, with instructions to condense all the said bills into one, which shall be reported to the house as a substitute to the first prohibition bill on the calendar, which substitute shall take the place of the first prohibition bill on the calendar;

Which, on motion of Mr. Bradley, was laid upon the table.

#### ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills, report that house bills Nos. 13, 51 and 63 have been correctly engrossed.

JOHN V. SMITH,  
Clerk.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the joint resolution in relation to the Code. Committee on part of the senate—Messrs. Bulger and Burnett.

And has originated and passed,

s. 28. To amend section 3757 of the Code;

s. 66. To amend section 622 of the Code.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows:

- s. 28. To the judiciary;
- s. 66. To ways and means.

## BILLS ON THIRD READING.

H. B. 110. To repeal section 4193 of the Code of 1886, so far as relates to Covington county;

Was taken up.

The substitute offered by the committee was adopted.

On motion of Mr. Stansel, the bill was recommitted to the committee on revision of laws.

H. B. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree;

Was read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Beaurdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Petrus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—80.

H. B. 95. To amend section 3945 of the Code;

Was read the third time at length.

On motion of Mr. Bradley, the vote by which the bill was ordered to a third reading was reconsidered.

Amendments were offered to except from the provisions of the bill counties as follows:

By Mr. Bradley, to except the county of Lamar.

Summers, to except the county of Colbert.

Files, to except the county of Fayette.

Richardson, to except the county of Franklin.

Arrington, to except the county of Sumter.

Mancill, to except the county of Covington.

By Mr. Lee, to except the counties of Pike, Crenshaw and Conecuh.

Simmons, to except the county of Coffee.

Cornelius, to except the county of Walker.

Dykes, to except the county of Chilton.

Higgins, to except the county of Cullman.

On motion on Mr. Wade, the bill, with pending amendments, was laid upon the table.

H. B. 97. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Bibb, approved February 24, 1887; and to provide for the disposition of certain cases now pending in the county court of Bibb county;

Was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Benners, Bogart, Blevins, Bradley, Clark, Clements, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Rabb, Ratray, Richardson, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—67.

On motion of Mr. Bradley,

H. B. 95 To amend section 3945 of the Code,

Was taken from the table, and the vote by which the bill was ordered to a third reading was reconsidered.

By consent, Mr. Wade withdrew his motion to table the bill.

On motion of Mr. Pettus, the bill was amended by striking out section 2 of the bill and by adding to section one, the words, "Provided the provisions of this act shall apply only to the counties of Lowndes, Dallas, Perry, Hale and Wilcox."

The bill was read the third time at length and passed. Yeas 76, nays 5.

Yeas—Messrs. Speaker, Arrington, Bevis, Beaurdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long,

Longshore, Lowe, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Webb, Wiley, Williams, Winston, Woolf, White of Geneva.

Nays—Messrs. Dupree, Dykes, Hundley, Maddox, Rabb, —5.

H. B. 94. To amend an act to regulate the fees of officers of court against the fine and forfeiture fund of Wilcox county.

Was read the third time at length and passed. Yeas 74, nays 0.

Yeas—Messrs. Speaker, Anderson, Benners, Bogart, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Payne, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva.—74.

H. B. 70. To amend section 1422 of the Code,

Was taken up.

The question being the adoption of the substitute offered by the committee. The substitute was adopted.

The bill was read the third time at length and passed. Yeas 69, nays 0.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Beaurdeaux, Blevins, Brown, Clark, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Geneva.—69.

H. B. 78. To amend section 3789 of the Code,

Was taken up.

The amendment offered by the committee was adopted.

Mr. Lay offered the following amendment: After the word "cotton" insert the words, "cabbages or potatoes." Lost.

Mr. Smisson offered the following amendment: After the word "cotton" insert the word "fruits."

Mr. Porter offered the following as an amendment to Mr. Smisson's amendment: After the word "fruits" add "red-pepper, chestnuts, hickory nuts and chinquepins," which, on motion of Mr. Knight, was laid upon the table.

On motion of Mr. Arrington, Mr. Smisson's amendment was laid upon the table.

Mr. Johnson moved that the bill be laid upon the table. Lost.

Mr. Moseley offered the following amendment, which was lost:

After the words "corn and cotton" add the words "cabbage and potatoes, of the value of twenty-five dollars."

Mr. Winston offered the following amendment, which on motion of Mr. Webb was laid upon the table:

After the word "goat" strike out, "or any part of any outstanding crop of corn or cotton."

Mr. Pettus called for the previous question on the bill.

The call was sustained.

The main question was ordered to be put.

The bill was read the third time at length and passed.

Yeas 81, nays 3.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Blevins, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—81.

Nays—Messrs. Johnson, Kyle and Lowe—3.

H. B. 56. To provide for returning, and allowing proper credits for taxes wrongfully assessed and collected;

Was read the third time at length and passed. Yeas 85, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Blevins, Bradley, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—85.

Mr. Miller, from the committee on enrolled bills, reported as correctly enrolled, the following bill:

H. B. 15. To amend, ratify and enlarge the charter of the Selma Land, Improvement and Furnace Company.

#### SIGNING OF BILL.

The speaker of the house, in the presence of the house, immediately after the title had been publicly read, signed the bill whose title is set forth above.

On motion of Mr. Lay,

H. B. 277 was made the special order for to-morrow morning, immediately after the reading of the journal.

On motion of Mr. McElderry,

H. B. 197, which had been reported adversely, was re-committed to the committee on public roads and highways.

The hour of 2 p. m. having arrived, the house stood adjourned till to-morrow morning at 10 o'clock.

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#### ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
Saturday, Nov. 24, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Moore of the city.

Present—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham,



Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—87.

The journal of yesterday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Messrs. Knight, Benners and Paine till Tuesday next; to Messrs. White of Dallas, and Davie, till Monday next.

On motion of Mr. Hundley, the vote by which the senate joint resolution in relation to authorizing the committee appointed under section 34 of the Code, to employ experts and to sit during the recess, if necessary, was concurred in yesterday, was reconsidered.

On motion of Mr. Hundley the senate joint resolution, above referred to, was amended by striking out all of said resolution after the words "provided further."

As amended the senate joint resolution was concurred in.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed—

s. 75. To authorize the mayor and aldermen of the city of Tusculmbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose of erecting school buildings and furnishing the same, and for draining, raising, macadamizing and improving the streets of said city, and to improvement of the spring in said city, and ordered the same forthwith to the house without engrossment.

And has passed—

H. B. 16. To regulate the trial of misdemeanors in the county of Elmore, approved February 24, 1887, and to provide for the disposition of certain cases now pending in the county court of Elmore.

H. B. 34. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Macon.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bill just received, whose title is set forth in the foregoing message, was severally read once and referred to the committee as follows :

s. 75, to corporations.

#### ENGROSSED BILLS.

Mr. Smith, from the committee on engrossed bills, reported as correctly engrossed the following bills : House bills 21, 56, 70, 78, 94, 95, 97.

Mr. Rabb, from the committee on public printing, asked and obtained leave to report favorably the following bill :

H. B. 276. To provide for the public printing of the State; Which was read a second time and placed on the calendar.

#### SPECIAL ORDER.

The special order for this hour being the consideration of—

H. B. 277. To authorize the county of Mobile to make and issue bonds to the amount of \$169,000,00 for the purpose of redeeming and retiring certain bonds of equal amount to become due;

Was taken up.

Mr. Rabb moved to amend the bill by striking out section 5 of the bill.

On motion of Mr. Pettus, Mr. Rabb's amendment was laid on the table.

Yeas 52, nays 30.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Bevis, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Miller, McEl-derry, McElvey, McLendon, McRee, Paine, Parker, Patton, Pettus, Pitts, Sowell, Smisson, Smith, Stansel, Stone, Stow-

ers, Tatum, Walker, Ward, Watters, Webb, Williams, Woolf.—52.

Nays—Messrs. Benners, Bogart, Beurdeaux, Blevins, Bradley, Clark, Curtis, Darby, Files, Higgins, King, Lee, Long, Longshore, Mancill, Moseley, McLeod, Nelson, NeSmith, Porter, Posey, Powell, Rabb, Richardson, Simmons, Summers, Wade, Wiley, Winston, White of Geneva—30.

Mr. Lay called for the previous question on the passage of the bill.

The call was sustained.

The main question was ordered to be put.

The bill was read a third time at length and passed—yeas 54, nays 27.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Bevis, Beurdeaux, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McRee, Parker, Patton, Pettus, Pitts, Porter, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Webb, Williams, Woolf—54.

Nays—Messrs. Benners, Bogart, Blevins, Bradley, Clark, Curtis, Dykes, Higgins, Kemp, King, Lee, Long, Longshore, Moseley, McLendon, McLeod, Nelson, NeSmith, Posey, Powell, Rabb, Richardson, Wade, Weaver, Wiley, Winston, White of Geneva—27.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate non-concurs in the amendment of the house to the senate joint resolution relating to employment of clerks, by committee under section 34 of Code, and asks a committee of conference thereon.

Committee on part of the senate—Messrs. Grant and Bulger.

s. 6. To incorporate the Alabama and Georgia Railroad Company.

s. 12. To provide for the interposition of claims in statutory detinup.

s. 24. To amend section 2998 of the Code.

s. 55. To amend section 811 of the Code.

s. 60. To establish a separate school district to be known as Helms district, in Barbour county.

s. 64. To amend section 3792 of the Code.

s. 65. To authorize the filing and recording of certain deeds and conveyances therein named, in the office of the probate courts of the State.

s. 70. To amend section 3012 of the Code.

s. 59. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous, or malt liquors, or intoxicating bitters, beverages, or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery and other places therein named, approved February 28, 1887, so far as the same applies to within three miles of the Methodist Episcopal Church South, in Clayton, Barbour county, and within half a mile of the Catholic church at Battles Wharf, in Baldwin county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

On motion of Mr. Pettus, the house acceded to the request of the senate, for a committee of conference, on disagreement of the two houses on senate joint resolution, referred to in above message.

Committee on the part of the house—Messrs. Hundley, Clements and Cunningham.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committee as follows:

s. 12, 64, 65 to the judiciary.

s. 70, 24, 55 to revision of laws.

s. 6 to corporations.

s. 60 to education.

s. 59 to temperance.

#### CALL OF COUNTIES.

On the call of the counties, the following bills were introduced:

By Mr. Williams—

H. B. 334. To increase the powers of the corporate authorities of the town of Oxanna.

By Mr. Rattray—

H. B. 335. To amend subdivision 9 of section 451 of the Code.

By Mr. Summers—

H. B. 336. To amend subdivision 9 of section 451 of the Code.

By Mr. Parker—

H. B. 337. To regulate the payment of certificates issued to witnesses appearing before the grand jury in Elmore county, prior to the passage of the act, approved February 23, 1873.

By Mr. Johnson—

H. B. 338. To define the line between the counties of Blount and St. Clair.

By Mr. Ward—

H. B. 339. To prohibit the selling, giving away, or otherwise disposing of spirituous or vinous, or malt liquors, or intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, within two miles of the town of Kinsey, in all directions, in Headland beat or beat No. 6, in Henry county.

By Mr. Lowe—

H. B. 340. To authorize corporations organized under the general incorporation laws of the State, to alter and amend their charters.

By Mr. Bradley—

H. B. 341. To incorporate the town of Millport, in Lamar county, Alabama.

By Mr. Cunningham—

H. B. 342. To authorize the court of county commissioners of Lauderdale county to issue bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling said court to erect such iron bridges in said county as said court may deem necessary.

By Mr. Kyle—

H. B. 343. To amend section 1293 of the Code of Alabama.

By Mr. Moseley—

H. B. 344. To provide for the collection of the poll taxes of the several townships or other school districts in this State by the superintendents of public schools for such townships or school districts, respectively.

Also,

H. B. 345. To amend an act approved February 1, 1872, entitled "an act to amend an act to incorporate the Female Institute of the Tennessee Annual Conference of the Methodist Episcopal Church of Athens, Alabama.

Also,

H. B. 346. To amend section 1754 of the Code.

By Mr. Walker—

H. B. 347. For the better maintenance of the public schools throughout the State.

By Mr. Woolf—

H. B. 348. To regulate the payment and disbursement of fines and costs in criminal cases.

By Mr. Ledyard, (with notice and proof),

H. B. 349. To authorize the Mobile Street Railway Company to establish and operate one or more public parks or gardens, at the places therein designated, and to provide for the protection of the employes and visitors while thereat or going to or returning therefrom.

By Mr. Lewis—

H. B. 350. To amend section 3398 of the Code.

Also,

H. B. 351. To amend section 2134 of the Code.

Also,

H. B. 352. To amend section 2081 of the Code.

By Mr. Fitzpatrick—

H. B. 353. To incorporate the Montgomery and Sylacauga Rail Road Company.

Also,

H. B. 354. To amend section 984 of the Code.

By Mr. Darby—

H. B. 355. To amend section 141 of the Code.

By Mr. McElderry—

H. B. 356. To create a board of supervision of the public schools in this State.

By Mr. Webb, (by request),—

H. B. 357. To amend an act, approved February 22, 1887; relates to appropriation for State agricultural society.

By Mr. Wiley—

H. B. 358. To amend section 234 of the Code.

By Mr. Lay—

H. B. 359. To require justices of the peace to furnish itemized bills of costs to suitors.

Also,

H. B. 360. To prescribe the civil jurisdiction and regulate the practice in civil cases of the city court of Mobile county.

By Mr. Hundley—

H. B. 361. To amend section 1915 of the Code.



The foregoing bills were severally read one time and referred to appropriate committees as follows :

House bills 340, 360, 361, 352, 351, 350, 348, 342, to the judiciary.

House bills 335, 359, 344, 336, to the ways and means.

House bills 346, 345, 343, to revision of laws.

House bills 354, 356, 347, to the committee on education.

House bills 334, 341, to corporations.

House bills 353, 349, to commerce and common carriers.

H. B. 339, to temperance.

H. B. 337, to local legislation.

H. B. 358, to fees and salaries.

H. B. 355, to agriculture.

H. B. 357, to appropriations.

H. B. 338, to counties and county boundaries.

#### BILLS ON THIRD READING.

By unanimous consent, Mr. Smith called up—

H. B. 262. To define and mark the line between the counties of Russell and Lee through Marshall's Reserve.

The bill was read a third time at length and passed—yeas 74; nays 3.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Mosely, McElderry, McLendon, McLeod, McRee, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—74.

Nays—Messrs. Kyle, Lee, McElvey—3.

#### RESOLUTION.

Mr. Lowe offered the following resolution :

*Be it resolved by the house of representatives* (the senate concurring), That a joint committee be raised, to consist of three members of the house of representatives and two members of the senate, to enquire into and investigate the pur-

poses, methods and practical operation of the convict system, and to report by bill, or otherwise, such changes, reforms or modification thereof as the interests of the State may demand.

*Be it further resolved*, That said committee may sit during the session of this body; shall have the right to call for witnesses and papers, and compel the appearance and production of same.

*Be it further resolved*, That said committee may employ a clerk, if necessary; *Provided*, that said committee shall report on or before the 15th day of December, 1888.

Adopted.

Committee on the part of the house: Messrs. Lowe, Lay and Pettus.

#### REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the committee on the judiciary, reported favorably to the following bills:

H. B. 289. To amend section 2335 of the Code.

H. B. 233. To amend section 16 of an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887.

H. B. 227. To amend section 1883 of the Code.

With amendments to,

H. B. 22. To expedite the trial of capital cases in Jefferson county,

With amendment to,

s. 14. To amend section 710 of the Code of Alabama.

s. 13. To fix the time for taking up the criminal docket of the circuit court of Lee county.

s. 26. To regulate the summoning of witnesses in criminal cases in the circuit courts of Hale, Perry, Dallas, Lowndes and Wilcox counties.

s. 30. To amend section 5 of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17, 1886.

s. 50. To allow the transfer of instruments in writing given to secure debts to the surety or sureties paying the debts.

Mr. Shorter called up—

H. B. 118. To regulate prosecutions for misdemeanors committed in cities and towns, from an adverse report, and it was read a second time and placed on the calendar.

Mr. Stansel, from the committee on revision of laws, reported favorably the following bill:

H. B. 230. For the relief of State witnesses in Clarke county in cases where the State fails.

Mr. Hundley, from a special committee, reported favorably the bill—

H. B. 311. To provide for the working, keeping up, repairing and improving the public roads, and opening and making new public roads in Madison county, and to create a board in said county, to have general supervision of all public roads therein, for the working of which, money is paid out of the county treasury.

Mr. Watson, from the committee on local legislation, reported favorably the following bills:

H. B. 282. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Hale, Cullman, and Greene, so far as the same relates to the county of Cullman.

H. B. 283. To repeal an act entitled an act "for the preservation of game in Limestone, Cullman and Madson counties," so far as the same relates to the county of Cullman.

H. B. 284. To repeal an act entitled an act to protect game in Cullman county.

H. B. 293. To repeal an act entitled an act to regulate the publication of legal notices in the county of Shelby and other counties therein named, approved March 3, 1870, so far as the same relates to Marion county, approved February 4, 1885.

H. B. 302. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Talladega and other counties therein named, approved February 13, 1879, so far as the same relates to beat No. 7, in the county of Talladega.

Mr. Ledyard, from the committee on military, reported favorably the bill—

H. B. 245. To authorize the election of an additional major in each regiment of State troops.

The foregoing bills were severally read a second time, and placed on the calendar.

Mr. Rabb, from the committee on public printing, returned s. 3, and asked that it be referred to the judiciary committee.

It was so ordered.

On motion of Mr. Lowe, house bills 129 and 130 were re-

called from the committee on ways and means and referred to the judiciary.

On motion of Mr. McRee, H. B. 32 was taken from the calendar and re-committed to the committee on fees and salaries.

#### SPECIAL ORDERS.

On motion of Mr. Pitts, H. B. 62 was made the special order for Monday next, at 1 o'clock, p. m.

On motion of Mr. Lowe, H. B. 20 was made the special order for December 5th, immediately after reading the journal.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report as correctly enrolled, the following bills:

H. B. 16. To repeal an act entitled "an act to regulate the trials of misdemeanors in Elmore county," approved February 24, 1887; and to provide for the disposition of certain cases now pending in the county court of said county.

H. B. 18. To authorize the county of Henry to borrow money and to issue bonds for the purpose of building a court house and jail for the use of said county at Abbeville, Alabama.

H. B. 34. To repeal an act entitled "an act to regulate the trials of misdemeanors in Macon county.

Respectfully,

B. M. MILLER,  
Chm'n Com.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in above report from committee on enrolled bills.

#### PASSAGE OF BILLS.

The bill—

H. B. 93. To increase the pay of county commissioners of Washington county,

Was read the third time at length and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Beaurdeaux, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Webb, Williams, Woolf, White, of Geneva—74.

The bill—

H. B. 5. To form a separate school district to be known as the Salitpa school district in Clarke county, Alabama,

Was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Bevis, Bogart, Beaurdeaux, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Fitzpatrick, Hampton, Higgins, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Richardson, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White, of Geneva—60.

The bill—

H. B. 100. To create a separate school district in Blount county, to be known as the Blount Springs district,

Was read a third time at length and passed—yeas 67; nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Beaurdeaux, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dark, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smith, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—67.

On motion of Mr. Johnson, the bill just passed was sent forthwith to the senate without engrossment.

The bill—

H. B. 19. To repeal an act to authorize an election to prohibit the sale, giving away, or otherwise disposing of, for gain, spirituous, vinous or malt liquors, or intoxicating bitters, and the manufacture thereof, within the county of Jackson,

Was read a third time at length and passed—yeas 63; nays 4.

Yeas—Messrs. Speaker, Barnett, Benners, Bevis, Bogart, Beurdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Files, Fitzpatrick, George, Hampton, Higgins, Hundley, Johnson, Kemp, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Miller, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Pettus, Pitts, Porter, Posey, Powell, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Winston, Woolf, White of Geneva—63.

Nays—Messrs. Dupree, Maley, Nelson, Williams—4.

The bill—

H. B. 53. To incorporate the Spring Hill Female Academy,

Was read a third time at length and passed—yeas 68; nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Bevis, Bogart, Beurdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Dupree, Fitzpatrick, George, Hampton Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—68.

#### SPECIAL ORDER.

The hour of one o'clock, p. m., having arrived, the special order for this hour being the consideration of Mr. Stansel's resolution on the death of Hon. J. M. Bullock, late member elect to the house of representatives from the county of Greene,



Eloquent and touching addresses on the life, character and worth of the deceased were made by Messrs. Stansel, Patton, Stone, Wiley, Ledyard, Cochrane and Clements.

On motion of Mr. Clements, the resolutions were unanimously adopted by a rising vote.

On motion of Mr. Patton the house, through respect for the memory of the late Mr. Bullock, adjourned till 10 o'clock Monday morning.

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## TWELFTH DAY.

### HOUSE OF REPRESENTATIVES,

Monday, November 26, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson, of the city.

Present—Messrs. Speaker, Anderson, Arrington, Barnett, Bevis, Bogart, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardie, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—86.

The journal of yesterday was read and approved.

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### LEAVE OF ABSENCE

Was granted to Messrs Lowe, Denson, White, of Dallas, and McElvey until to-morrow.

### ENROLLMENT.

Mr. Bogart called the attention of the speaker to the fact that his colleague, Mr. J. D. French, was in the house and ready to enroll his name as a member of the house, from

the county of Jackson. Mr. French came forward, presented his certificate of election, duly signed by the Secretary of State, and enrolled his name, and the oath of office was then administered to Mr. French by the Speaker.

#### ENGROSSED BILLS.

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 5, 19, 93, 277 and 53.

JOHN V. SMITH,  
Chairman.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has adopted the house joint resolution relating to the appointment of a joint committee to enquire into and investigate the purpose and methods and operations of the convict system.

Committee on part of the senate—Messrs. Stallworth and Bulger.

And has originated and passed—

s. 76. To constitute the city of Tusculumbia a separate school district and to provide for the management of the public schools in said school district.

s. 48. To confer certain rights and privileges in the State of Alabama, upon the Helena, Tupelo and Decatur Rail Road Company, a corporation chartered by the laws of the State of Mississippi, and for other purposes.

And ordered the same forthwith to the house without engrossment.

And has adopted a joint resolution herewith sent relating to a recess.

Committee on part of senate—Messrs. Burnett and Godfrey.

And has adopted a joint resolution in relation to mileage.

Committee on part of senate—Messrs. Parker and Parks.

And has passed—

H. B. 69. To regulate the payment of claims against the general fund of Randolph county.

H. B. 112. To authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

H. B. 59. To permit the people of Marshall county to elect their county commissioners by a vote of the qualified electors of each commissioners district in said county.

And has amended as therein shown, and as amended has passed—

H. B. 104. To authorize the town council of Jacksonville, Alabama, to prohibit the running at large of cows, and hogs and other animals, within the incorporate limits of said town of Jacksonville.

And asks the return of—

H. B. 34. To repeal an act regulating the trial of misdemeanors in the county of Macon.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

s. 76 to education.

s. 48 to corporations.

On motion the senate joint resolution in relation to recess was concurred in. Committee on the part of the house : Messrs. Pettus, George and Walker.

On motion, the senate joint resolution in relation to mileage was concurred in. Committee on the part of the house : Messrs. Stone, Lewis and Rabb.

The speaker instructed the clerk to return house bill 34 to the senate.

On motion of Mr. Williams, the senate amendment to house bill 104 was concurred in.

Yeas 72 ; nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Bevis, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, Nelson, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Ratray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—72.

## CALL OF COUNTIES.

On the call of the counties, the following bills were introduced:

By Mr. Hardy (by request),

H. B. 362. To amend section 41 of the Revenue Law, approved February 17, 1885, Acts 1884-5, § 41, p. 37, Code of 1886, § 512.

By Mr. Richardson—

H. B. 363. To consolidate the offices of county superintendent of education and county treasurer of Franklin county.

By Mr. Porter (by request),

H. B. 364. To amend section 4883 of the Code, so far as the same relates to Jefferson county.

Also (by request),

H. B. 365. To amend sections one and two of an act entitled an act to amend section 1630 and sub-division two of section 1649 of the Code, and sections one and four of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 14, 1885.

Also (by request),

H. B. 366. To repeal section 4452 of the Code, so far as the same relates to Jefferson county.

Also (by request),

H. B. 367. For the relief of Wm. P. Hickman, late county treasurer of Jefferson county.

Also (by request),

H. B. 368. To amend section 521 of the Code, so far as the same relates to Jefferson county.

Also (by request),

H. B. 369. To amend section 3024 of the Code of Alabama, so far as the same relates to Jefferson county.

Also (by request),

H. B. 370. Fixing and prescribing the compensation to be paid the county treasurer of Jefferson county.

Also (by request),

H. B. 371. To amend section three of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the workings of the public roads in said county, approved February 23, 1883.

Also (by request),

H. B. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding two hundred thousand dollars, for the purpose of completing the court house, and for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail for said county.

Also (by request),

H. B. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, the commissioners' districts, the public dirt roads, the railroads, streams, and such other matters and things of local interest and importance as they may deem proper in said county.

Also,

H. B. 374. To divide the State of Alabama into five chancery divisions.

By Mr. Bradley—

H. B. 375. To amend section 1398 of the Code, so far as the same relates to Lamar county.

By Mr. Ledyard—

H. B. 376. To require security for costs in divorce suits in the chancery courts of Alabama.

By Mr. Lay—

H. B. 377. To repeal an act entitled an act to provide a more efficient remedy in cases of unlawful entry and detainer in the city of Mobile, approved March 3, 1848.

By Mr. Longshore—

H. B. 378. To provide for the election of the county superintendent of Education by a vote of the people of Shelby county.

By Mr. Maddox (by request)—

H. B. 379. To confer on courts of chancery, in this State, authority to appoint receivers of insolvent trader or traders, and insolvent corporations, other than municipal, and to provide for the distribution of the assets of such insolvent persons or corporations among the creditors thereof.

By Mr. Webb—

H. B. 380. To provide for the working of the public roads in the county of Talladega.

By Mr. Carter—

H. B. 381. To regulate the taking up and impounding of stock owned by parties residing in non-stock districts of

Pike county, that may be taken up in stock districts of Pike and adjoining counties.

By Mr. McElderry (by request)—

H. B. 382. To regulate the fees of the judge of probate in the matter of exemptions to widows and minor children, so far as the same relates to Jefferson county.

By Mr. Dupree—

H. B. 383. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within three miles of the Baptist and Methodist churches in the town of Daviston, Tallapoosa county, Alabama.

By Mr. McElderry (by request)—

H. B. 384. To regulate the fees of the judge of probate of Jefferson county for recording maps and plats of land divided into town lots, and for making transcripts of the same.

By Mr. Porter (by request)—

H. B. 385. To amend section 3217 of the Code of Alabama, so far as the same relates to Jefferson county;

Also (by request),

H. B. 386. To amend section 3947 of the Code of Alabama, so far as the same relates to Jefferson county.

By Mr. Wade—

H. B. 387. To incorporate the Gadsden Female Institute in the city of Gadsden, Alabama.

By Mr. White of Geneva—

H. B. 388. To repeal an act entitled an act to repeal section 4031 of the Revised Code, so far as it relates to the county of Geneva, and to revive and re-enact said section 4031 of the Revised Code;

Also,

H. B. 389. To repeal section 13 of an act entitled an act to incorporate the town of Eunola in Geneva county, Alabama, approved February 17, 1885.

By Mr. Johnson—

H. B. 390. To amend section 3075 of the Code.

By Mr. Shorter, Mr. Watters in the chair—

H. B. 391. To amend section 3685 (5030) of the Code.

By Mr. McLeod—

H. B. 392. To amend section 1414 of the Code of Alabama;

Also,

H. B. 393. To establish a branch agricultural experiment station at Jackson, Alabama.

By Mr. Knight—



H. B. 394. To exempt to depositors any money to the extent of three hundred dollars, deposited in any savings bank or savings institution of this State, from any legal process for the enforcement of any debt due by such depositor.

By Mr. Woolf—

H. B. 395. To amend an act approved the 18th day of February, 1887, to establish a separate school district, to be known as the Aimwell School District, Marengo county;

Also,

H. B. 396. To punish forfeiture of bail bonds.

By Mr. Ledyard—

H. B. 397. To amend paragraph numbered fifteen of section 629 of the Code of Alabama.

The foregoing bills were severally read a first time and referred to appropriate committees as follows:

House bills 369, 370, 372, 373, 374, 388, 382, 391, 396, 394, 366 to judiciary committee.

House bills 376, 377, 379, 390, 392, 397, 386, 385 to the revision of laws.

House bills 367, 362, 368 to ways and means.

House bills 363, 378, 395 to the committee on education.

H. B. 384 to corporations.

H. B. 383 to temperance.

H. B. 393 to agriculture.

H. B. 364 to fees and salaries.

H. B. 381 to local legislation.

H. B. 380, 365, 371, 375, 387, 389 to public roads and highways.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably—

H. J. R. 2. Proposing amendment to section 7 of article XI, of the constitution of the State of Alabama.

Mr. Simmons called up—

H. B. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain land lying and being in said county, and asked that it be taken from the adverse register.

The bill was read a second time and placed on the calendar.

Mr. Lay, from the committee on ways and means, reported favorably the following bills—

H. B. 27. To amend subdivisions 17 and 18 of section 96, and subdivision 8 of section 120 of the Code of Alabama.

s. 66. To amend section 622 of the Code.

Mr. Ward called—

H. B. 128. To amend section 141 of the Code of 1886-7, from the adverse register,

And it was read the second time and placed on the calendar.

Mr. Stansel, from the committee on revision of laws, reported favorably the bill—

H. B. 312. To amend section 1869 of the Code of 1886.

Mr. Fitzpatrick, from the committee on education, reported favorably the bills—

H. B. 305. To make a separate school district in Dale county, to be known as the Sylvan Grove district.

H. B. 275. To incorporate Irby Female Seminary.

H. B. 206. To ratify and confirm the purchase of lands of the estate of Wm. M. Murphree, deceased, by the mayor and councilmen of Troy, and the contract made by said mayor and councilmen with the Public School Building Company of Troy, Alabama, for the payment of the building erected on said lands for the State normal schools operated in connection therewith.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably—

H. B. 192. To provide greater security for travellers on passenger trains in this State.

s. 35. To ratify the consolidation of the Mobile, Hattiesburg and Jackson Railroad Companies of Alabama and Mississippi, under the name of the Mobile, Jackson and Kansas City Railroad Company, and to confer further franchises on said consolidated company.

H. B. 321. To amend an act entitled an act granting the right of way to the Nashville and Chattanooga Railroad Company through Jackson county, and the privilege of constructing a bridge across Tennessee river in said county, approved January 21, 1850.

H. B. 318. To incorporate the Covington and Escambia Alliance, Navigation and Transportation Company.

H. B. 152. To prevent the transportation of tramps, vagrants and other designated persons over the railroads of this State.

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

H. B. 329. To amend sections one, two and three of an act

to regulate the taking up of stock in districts where stock of any kind is prevented by law from running therein, in Wilcox, approved February 24, 1887.

H. B. 286. To repeal an act to regulate the pay and mileage of jurors and commissioners of Geneva county, and to provide for payment of the same.

H. B. 325. To prevent persons from hunting with dog or gun upon the lands of another in the county of Lowndes, without first obtaining permission and consent from the owner or agent of said land.

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

Mr. Mancill called—

H. B. 273. For the relief of persons engaged in the practice of medicine in Covington county, prior to the establishment of the medical board of said county, from the adverse register.

And the bill was read a second time and placed on the calendar.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Hundley, from a conference committee, submitted the following report, which was concurred in :

*Mr. Speaker:*

The house committee on conference with the senate committee, in reference to the senate joint resolution providing for the counting of the money in the treasury and examining the accounts of the auditor, beg leave to report that the committee recommend that the senate recede from its resolution to non-concur in the house amendment and agree to concur.

OSCAR R. HUNDLEY,  
N. N. CLEMENTS,  
J. M. CUNNINGHAM.

Mr. Clements offered the following resolution, which was adopted :

*Resolved*, That a committee of three be appointed to invite U. S. Senator, James L. Pugh, to the hall of the house, and that the privileges of the floor be extended to him.

Committee—Messrs. Clements, Hundley and Stone.

Mr. Pugh was conducted to the hall, and on motion of Mr. Clements, an informal recess of five minutes was taken in honor of Senator Pugh.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the bills:

s. 73. To provide for the registration of all claims against the fine and forfeiture fund of Colbert county.

s. 77. To authorize the probate judge of Franklin county to transcribe certain deed and will records.

s. 68. To provide for payment into court of money tendered for redemption of real estate on trials of unlawful detainer suits.

s. 94. To prohibit the sale of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in six miles of Stockton church, in Baldwin county.

s. 84. To authorize the mayor and council of the city of Demopolis to issue bonds of said city for an amount not exceeding eight thousand dollars, bearing interest at a rate not exceeding eight per cent. per annum, for the purpose of purchasing school lots, erecting thereon suitable school buildings and furnishing the same.

s. 90. To amend an act entitled an act to require all trains on railroads in this State carrying passengers to stop at the telegraph station now existing or hereafter established, nearest or most accessible, to be determined by the railroad commission, the county seat of each county through which the road or any part thereof may pass, for receiving or discharging passengers, approved February 28, 1887;

And concurs in the report of the conference committee relating to the employment of clerks by, and the sitting during recess of the joint committee to examine the books of the auditor and treasurer.

W. L. CLAY,  
Secretary.

SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

- s. 77, to the judiciary.
- s. 68, 73, to revision of laws.
- s. 90, to commerce and common carriers.
- s. 84, to corporations.
- s. 94, to temperance.

## ERASURE OF SIGNATURE BY SPEAKER.

On motion of Mr. Paine the speaker was instructed to erase his signature to—

H. B. 34. To repeal an act entitled an “an act to regulate the trial of misdemeanors in the county of Macon, and to provide for the transfer of certain cases therein pending and undisposed of to the circuit court.”

On motion of Mr. Weaver house bill 50 was made a special order for Monday next immediately after reading the journal.

On motion of Mr. Nelson—

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous, malt liquors, intoxicating bitters or intoxicating beverages in Clay county, Alabama,

Was laid on the table for future action, the bill to retain its place on the calendar.

## MESSAGE FROM THE GOVERNOR.

*Mr. Speaker:*

The governor has approved the bills which originated in the house:

H. B. 14. An act for the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same which have been or may be hereafter patented to the State.

H. B. 15. An act to amend and ratify the charter of the Selma Land Improvement and Furnace Company.

H. J. R. 4. Relating to quarantine conference.

J. K. JACKSON,  
Private Secretary.

## BILLS ON THIRD READING.

H. B. 114. To incorporate the Eutaw Female College, in the town of Eutaw, Alabama,

Was read the third time at length and passed. Yeas 55; nays 0.

Yeas—Messrs. Speaker, Bevis, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hundley, King, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, Nelson, Paine, Patton, Pettus, Porter, Posey, Powell, Rattray, Russell, Simmons, Smisson, Stansel, Stone, Wade, Walker, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Geneva—55.

H. B. 58. To prohibit the sale of liquors in Warrenton, beat 14, Marshall county,

Was read the third time at length and passed—yeas 60; nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Beurdeaux, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Darby, Dark, Davie, Dupree, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, King, Ledyard, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Patton, Pitts, Porter, Posey, Powell, Rattray, Richardson, Russell, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—60.

H. B. 92. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors at Day's Gap, Walker county,

Was read the third time at length and passed—yeas 71; nays 1.

Yeas—Messrs. Speaker, Arrington, Barnett, Bevis, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hundley, Kemp, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—71.

Nay—Mr. Johnson—1.

H. B. 99. To authorize the court of county commissioners of Blount county to issue bonds of said county, to an amount not exceeding seventy thousand dollars, for the purpose of building a court house and jail for said county;



Was taken up.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 48, nays 12.

Yeas—Messrs. Anderson, Bevis, Bush, Bradley, Brown, Carter, Cochrane, Darby, Dark, Davie, Dupree, Hampton, Hardy, Henderson, Hundley, Johnson, King, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Miller, McLendon, Nisbet, Patton, Pettus, Pitts, Porter, Powell, Rattray, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Geneva—48.

Nays—Messrs. Bogart, Cornelius, French, Higgins, Longshore, Moseley, McLeod, Nelson, NeSmith, Posey, Summers, Winston—12.

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county;

Was read the third time at length and passed—yeas 68, nays 4.

Yeas—Messrs. Speaker, Anderson, Bevis, Bogart, Bush, Bradley, Brown, Carter, Clark, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hundley, Johnson, Kemp, Kyle, Ledyard, Lee, Lewis, Long, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—68.

Nays—Messrs. Beurdeaux, Blevins, Clements, Cornelius—4.

H. B. 170. To establish in township 16, range 6 east, in Perry county, a district in which stock shall not be allowed to run at large;

Was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Bevis, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey,

Powell, Rabb, Rattray, Richardson, Russell, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—67.

H. B. 142. To enforce the closing of gates upon the public roads and roads through stock farms in Marengo county;

Was read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochran, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—69.

H. B. 168. To punish persons who take by net or poison fish in Big Limestone creek, in Limestone county,

Was read the third time at length and passed—yeas, 71, nays 0.

Yeas—Messrs. Speaker, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, William, Winston, Woolf, White of Dallas, White of Geneva—71.

On motion of Mr. Stone,

H. B. 65. To amend section 710 of the Code,

Was laid upon the table.

S. 4. To amend section 710 of the Code of Alabama,

Was taken up.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Clark, Cochran, Cornelius, Cuning-

ham, Curtis, Dark, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Geneva—73.

H. B. 101. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials or fruits preserved in alcoholic liquors within five miles of Village Springs Academy, in Blount county, Was taken up.

On motion of Mr. Johnson the bill was amended by striking out in the title and body the word "in," between the words "academy" and "Blount."

Mr. Maddox offered the following amendment, which was adopted :

In the title and body of the bill, after the word "county," insert, "within five miles of Harkey's chappel, four miles of Deerman's chappel, precinct number six, Union church, precinct number five, Early's chappel in precinct number five, and Pleasant Hill church, precinct number four, in St. Clair county."

The bill was read the third time at length and passed—yeas 72, nays 1.

Yeas—Messrs. Arrington, Bevis, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Dark, Davie, Dupree, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—72.

Nay—Mr. Files—1.

#### SPECIAL ORDER.

The hour of one p. m. having arrived, the special order for this hour being the consideration of—

H. B. 62. To authorize the mayor and council of the city of Uniontown to issue bonds of said city for an amount not exceeding five thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or providing said city with a bored well, and erecting water works.

The bill was taken up.

Pending question being the adoption of the amendment offered by the committee,

Mr. Pitts offered the following as a substitute for amendment of the committee :

Sec. 4. Be it further enacted, That the bonds issued under this act shall be exempt from county and municipal taxes.

Adopted.

The bill was read third time at length and passed—yeas 53, nays 19.

Yeas—Messrs. Speaker, Anderson, Arrington, Bevis, Beaurdeaux, Bush, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Files, Fitzpatrick, George, Hampton, Henderson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Maley, Meador, Miller, McElderry, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Webb, Williams, Woolf, White of Dallas, White of Geneva—53.

Nays—Messrs. Bogart, Blevins, Bradley, Clark, French, Higgins, Hogue, Longshore, Moseley, McLeod, Nelson, Ne-Smith, Parker, Posey, Rabb, Summers, Watson, Weaver, Winston—19.

#### BILLS ON THIRD READING.

H. B. 71. To amend section 2719 of the Code of Alabama. The amendment offered by the committee, was adopted.

The bill was read a third time at length, and passed—yeas 75, nays 2.

Yeas—Messrs. Speaker, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell,

Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White, of Geneva—75.

Nays—Messrs. Beaurdeaux, Files—2.

H. B. 55. To provide for the sale of property of minors in order to remove the proceeds thereof from the State,

With amendment,

Was taken up.

The amendment offered by the committee was adopted.

The bill was read a third time at length and passed—yeas 80, nays 0.

Yeas.—Messrs. Speaker, Arrington, Benners, Bevis, Boggart, Bordeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White, of Geneva—80.

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 18, 1887,

Was read a third time at length and passed—yeas 77, nays 0.

Yeas.—Messrs. Speaker, Arrington, Benners, Bevis, Boggart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardie, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Richardson, Russell, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—77.

H. B. 158. To amend section 2721 of the Code of Alabama,

Was taken up.

The amendment offered by the committee was adopted.

The bill was read the third time at length, and passed; yeas 72, nays 0.

Yeas—Messrs. Speaker, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Long, Longshore, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Ratray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Woolf, White of Geneva—72.

The resolution,

H. J. R. 1. To amend section 2, article XI of the constitution, with an amendment,

Was taken up.

The amendment offered by the committee was adopted.

Pending consideration of H. J. R. 1, the hour of 2 p. m. arrived, and the house stood adjourned till to-morrow morning at 10 o'clock.

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## THIRTEENTH DAY.

### HOUSE OF REPRESENTATIVES,

Tuesday, November 27, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington Barnett, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton,



Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smission, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White, of Dallas, White, of Geneva—95.

#### LEAVE OF ABSENCE.

Indefinite leave was granted to Mr. Files, on account of sickness; to Mr. Wiley, for to-day and to-morrow.

#### ENGROSSED BILLS.

The committee on engrossed bills, report the following correctly engrossed, to-wit: Nos. 62, 99, 158, 98, 168, 142, 55, 71, 101, 58, 92, 170, 117, 114.

JOHN SMITH,  
Chairman.

#### ENROLLED BILLS.

The committee on enrolled bills, instruct me to report the following bills properly enrolled: H. B's. Nos. 112, 104, 69, and 59.

B. M. MILLER,  
Chm'n. of Com.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the numbers of which are set out in the foregoing report of the committee on enrolled bills.

#### ERASURE OF SIGNATURE BY SPEAKER.

The Speaker of the house, in the presence of the house, erased his signature to H. B. 34, as instructed by the house.

#### UNFINISHED BUSINESS.

The unfinished business being the consideration of—  
H. J. R. 1. To amend section 2, article XI, of the constitution,

On motion of Mr. Hundley 150 copies of the resolution

were ordered printed for the use of the house, and the consideration of the resolution was made the special order for Friday next, immediately after reading of the journal.

On motion of Mr. Rabb, H. B. 276 was made the special order for to-morrow morning, immediately after reading the journal.

Mr. Shorter (Mr. Ledyard in the chair) asked and obtained unanimous consent of the house, that at 12 M. to-day the regular order of business be suspended for the purpose of electing a United States Senator to succeed Hon. John T. Morgan, whose term of office will expire on 4th day of March, 1889.

#### CALL OF COUNTIES.

On the call of the counties the following bills were introduced :

By Mr. Johnson—

H. B. 398. To repeal the incorporation of the towns of Blount Springs, in Blount county, and the town of Broken Arrow, in St. Clair county.

By Mr. Denson, (with notice and proof),

H. B. 399. To relieve Wm. E. Jones, of Chambers county, Alabama, from the disabilities of non-age.

By Mr. Wade—

H. B. 400. To repeal an act to establish a State normal school for the education of white male and female teachers at Troy, Pike county, Alabama.

Also,

H. B. 401. To repeal an act entitled an act to establish a normal school at Jacksonville, Calhoun county, Alabama, for the education of white male and female teachers.

Also,

H. B. 402. To repeal an act entitled an act to establish a State normal school at Livingston, Sumter county, Alabama, for the education of white male and female teachers.

Also,

H. B. 403. To repeal an act entitled an act to establish a state normal school at Huntsville, Madison county, for the education of colored male and female teachers.

Also,

H. B. 404. To repeal an act entitled an act to establish a normal school for the education of white male and female teachers at Florence, Lauderdale county, Alabama.

Also,

B. B. 405. To repeal an act to establish a normal school for the education of colored male and female teachers at Tuskegee, Macon county, Alabama.

By Mr. Knight—

H. B. 406. To create a lien for advances to make crops in Hale county.

By Mr. Benners—

H. B. 407. To amend section 3090 of the Code.

By Mr. Lowe—

H. B. 408. To empower the constable of Bessemer precinct number 33, in Jefferson county, to appoint deputies.

Also, (by request)

H. B. 409. To amend the charter of the People's Savings Bank, a corporation organized in the county of Jefferson under the general laws of the State of Alabama, so as to change its name to the People's Saving Bank and Trust company, and so as to confirm in said corporation, under the name of the People's Savings Bank and Trust company, all the rights, powers and privileges that were vested in it under the name of the People's Savings Bank, and so as to enlarge the powers, rights franchises and privileges of said corporation.

By Mr. Porter—

H. B. 410. To amend an act to authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads in the same manner as now provided by law for taking private property for railroads and other public uses, approved December 10, 1886, and to allow said street railroad companies to use steam or electric power, or mechanical power, or animals as they may deem expedient.

By Mr. Bradley, (with petition),

H. B. 411. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks or bitters, or fruits preserved in alcoholic liquors within four miles of the church and masonic hall at Fernbank, on the Georgia Pacific railroad, in Lamar county.

By Mr. Walker, (by request),

H. B. 412. To amend section 3049 of the Code, relating to blacksmith lien on property repaired.

By Mr. McLendon, (by request),

H. B. 413. To repeal section 4072 of the Code of Alabama, relating to selling bread without the baker's name stamped thereon, so far as the same relates to Montgomery and Pike counties.

By Mr. Arrington—

H. B. 414. To provide a less expensive mode for the registration of chattel mortgages.

By Mr. Clements—

H. B. 415. To prevent hunting and fishing on lands after the owners thereof shall have forbidden the same by notice posted on land or by publication in a newspaper.

By Mr. Miller—

H. B. 416. To change a part of the boundary line between Wilcox and Monroe counties.

By Mr. White of Dallas—

H. B. 417. To provide for the publication of the acts of the present session of the General Assembly.

By Mr. Stansel—

H. B. 418. To amend section seven of an act entitled an act to incorporate Howard College, approved December 29, 1841.

By Mr. McRee—

H. B. 419. To elect the county board of commissioners and the superintendent of education of Lowndes county by the qualified electors of said county.

By Mr. Webb, (by request),

H. B. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State agricultural society.

By Mr. Ledyard—

H. B. 421. To make an appropriation for the expenses of encampment of Alabama State Troops for the years 1889 and 1890.

By Mr. Shorter—

H. B. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

The above and foregoing bills were severally read one time and referred to appropriate committees as follows :

House bills 399, 407, 408, 412, 413, 414, to judiciary committee.

H. B.'s 415, 418, to revision of laws.

H. B.'s 406, 419, 422, to local legislation.

H. B.'s 401, 402, 404, 403, 400, 405, to education.

H. B.'s 398, 409, to corporations.

H. B. 417, to public printing.

H. B. 416, to counties and county boundaries.

H. B. 420, to agriculture.

H. B. 421, military.

H. B. 410, to commerce and common carriers.

H. B. 411, to temperance.

## ELECTION OF UNITED STATES SENATOR.

This being the second Tuesday after the meeting and organization of the legislature of the State of Alabama, at 12 m. o'clock on this day, the house of representatives of the State of Alabama went into an election for the purpose of naming one person for senator in congress from the State of Alabama.

The speaker of the house of representatives of the State of Alabama announced that in accordance with the previous order of this house, the hour for this house to name one person for senator in congress from the State of Alabama had arrived, and declared that nominations were in order.

Mr. Hundley, of Madison, placed in nomination the name of John T. Morgan, a resident citizen of Dallas county, in the State of Alabama.

No other names being placed in nomination, the speaker of the house ordered the clerk of the house to call the roll of the house.

Thereupon the roll of the house was called, and the following members of the house voted *viva voce* for John T. Morgan for senator in the congress of the United States to succeed John T. Morgan, for a term beginning on the 4th day of March, A. D., 1889.

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva;

In all, eighty-seven, and being all the votes cast by the house of representatives, and being a majority of the whole number of votes cast in this house, and being a majority of the entire membership of this house, and thereupon the speaker of this house declared that John T. Morgan had received a majority of all the votes cast in this house, cast *viva voce* in open session, and was duly named by the house

of representatives of the State of Alabama as the choice of this house for senator in the congress of the United States for the term beginning on the 4th day of March, A. D. 1889, and ordered the clerk of the house to enter the proceedings of this house and the name of John T. Morgan on the journal of this house, which is accordingly done.

#### REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the judiciary, reported favorably to the following bills :

H. B. 199. To require the sale of personal property on certain conditions to be in writing,

With substitute.

H. B. 256. To amend section 3775 of the Code of 1886,  
With amendment.

H. B. 134. To amend section 3089 of the Code.

H. B. 319. To amend section 215 of the Code.

H. B. 320. To amend section 214 of the Code.

H. B. 328. To amend section one of an act to authorize a subscription by the State to an index digest of Alabama Reports, approved February 28, 1887.

H. B. 330. To punish the crime of rape and assault with intent to ravish.

H. B. 332. To amend section 2755 of the Code.

H. B. 352. To amend section 2081 of the Code.

H. B. 351. To amend section 2134 of the Code.

H. B. 360. To prescribe the civil jurisdiction and regulate the practice in civil cases of the city court of Mobile.

H. B. 340. To authorize corporations organized under the general incorporation laws of the State to alter and amend their charters,

With amendment.

H. B. 342. To authorize the court of county commissioners of Lauderdale county to issue bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling said court to erect such iron bridges in said county as said court may deem necessary.

s. 34. To amend section 3932 of the Code.

s. 12. To provide for the interposition of claims in statutory detinue.

Mr. Stansel, from committee on revision of laws, reported favorably to the following bills:

H. B. 110. To abolish the county court of Covington



county and to provide for the transfer of the unfinished business in said court.

H. B. 143. To define the rights and liabilities of husband and wife.

H. B. 160. To abolish the county court of Tallapoosa county.

H. B. 254. To amend section 488 of the Code.

H. B. 263. To amend section three of an act to provide for the publication and distribution of the Code of Alabama, approved February 21, 1887.

H. B. 290. For the preservation of game in Macon county.

H. B. 267. To amend sections 3 and 4 of an act to more effectually secure competent and well qualified jurors in the several counties in this State, &c., approved February 28, 1887.

s. 55. To amend section 811 of the Code (with substitute).

s. 49. To codify the local laws of each county in the State.

s. 45. To amend section 1347 of the Code.

s. 24. To amend section 2998 of the Code.

s. 16. To amend section 3544 of the Code.

s. 70. To amend section 3012 of the Code.

Mr. Lay, from the committee on ways and means, reported favorably to the following bill:

H. B. 359. To require justices of the peace to furnish itemized bills of cost to suitors.

Mr. Fitzpatrick, from the committee on education, reported favorably to the following bills:

s. 60. To establish a separate school district, to be known as the Helm's School District, in beat 13, Barbour county.

H. B. 226. To provide for the election of county superintendents of education for the State.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably to the following bills:

H. B. 349. To authorize the Mobile Street Railway Company to establish and operate one or more public parks or gardens at the places therein designated, and to provide for the protection of the employees and visitors while thereat, or going to or returning therefrom.

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads of Alabama (with substitute).

H. B. 353. To incorporate the Montgomery & Sylacauga Railroad Company.

Mr. White, from the committee on appropriations, reported favorably to the following bill:

s. 54. To provide for the insuring and repairing upon the property of the State under control and management of the board of trustees of the Alabama Institute for the Deaf, and to make appropriation therefor.

H. B. 185. To provide for deficiencies in appropriations for public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriations for distributing Acts, Journals and other public documents for the fiscal year ending September 30, 1888, and to make appropriation for such deficiencies.

Mr. Lewis called up

H. B. 313. To require the Louisville & Nashville Railroad to build a fence on a part of its track in Mobile county;

From an adverse report,

And it was read the second time and placed on the calendar.

Mr. Lowe called up

H. B. 239. To protect trespassers and property upon railroad rights of way;

From an adverse report,

And it was read the second time and placed on the calendar.

Mr. Lee, from the committee on temperance, reported favorably to the following bills:

s. 59. To repeal an act to prohibit the sale, etc., of spirituous liquors, etc., in Montgomery county and other places, approved February 20, 1887, so far as the same applies to within three miles of the Methodist Episcopal Church South, in Clayton, Barbour county, and within half a mile of the Catholic Church at Battle's wharf, in Baldwin county;

With amendment.

s. 46. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, at or within two miles of Bethlehem Baptist Church in beat 9, Barbour county.

H. B. 339. To prohibit the sale of whisky near Kinsey, in Henry county.

H. B. 308. To prohibit the sale of whisky in four miles of Cove Creek Presbyterian Church.

H. B. 163. To prohibit the sale of spirituous or malt liquors within certain prescribed limits, (with amendment).

H. B. 88. To regulate the granting of whisky license in Tallapoosa county.

H. B. 333. To prohibit the manufacture of distilled alcoholic liquors in this State.

H. B. 310. To prohibit the sale of vinous, spirituous or malt liquors within two miles of State line church in Limestone county.

Mr. McElderry, from the committee on Public Roads and Highways, reported favorably to the following bills:

H. B. 287. To amend an act entitled an act to change the manner of appointing overseers and apportioning of the roads in the county of Russell, the provisions of which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled an act to repeal and amend the road law in Jackson county.

H. B. 327. To provide for the number of days a hand shall be required to work consecutively on public roads.

H. B. 197. To amend section 1388 of the Code of 1886.

The foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The Senate has originated and passed the following bills:

s. 92. To incorporate the Birmingham, Talladega and Eastern Railroad company.

s. 69. To regulate the running of electric, gas, naptha, steam or other motors or locomotives on lines operated as street or suburban railways.

s. 5. To form a school district in Cherokee county, to be called ——— school district.

s. 80. To amend section 3947 of the Code.

s. 87. To authorize members of the different Farmers Alliances, or other organizations of like kind of the State to organize themselves into a body corporate.

s. 105. To prohibit hunting and trapping game in any manner on the lands embraced in township fourteen, range sixteen, in Lowndes county.

s. 107. To allow to the sheriff of Conecuh county the same fees for public road services as are now allowed under the general laws of this State to other sheriffs.

And has amended as therein shown, and as amended has passed:

H. B. 34. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Macon.

And has concurred in the House amendment to the bill,  
s. 4. To amend section 710 of the Code.

And has adopted a joint resolution, herewith sent, relating to adjournment on Thanksgiving day.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The Senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

- s. 69, to commerce and common carriers.
- s. 105, to local legislation.
- s. 80, 107, to revision of laws.
- s. 92, 87, to corporations.
- s. 5, to education.

On motion of Mr. Paine, the house concurred in the Senate amendment to H. B. 34—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—80.

On motion, the Senate joint resolution above referred to was concurred in.

#### BILLS ON THIRD READING.

H. B. 25. To amend section 3027 of the Code of Alabama,  
Was read the third time at length.

Mr. Bogart moved that the vote by which the bill was ordered to a third reading be reconsidered for the purpose of offering an amendment;

Lost.

The bill passed—yeas 60, nays 29.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Barnett, Bevis, Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, Hampton, Higgins, Hundley, Johnson, Kemp, King, Kyle, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McLendon, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Pratt, Rattray, Richardson, Sowell, Summers, Smisson, Stansel, Stone, Wade, Walker, Weaver, Webb, Williams, Winston, White of Geneva—60.

Nays—Messrs. Speaker, Benners, Bogart, Bush, Bradley, Davie, Denson, Hardy, Knight, Lay, Ledyard, Lee, Meador, Miller, McLeod, McRee, Nisbet, Pettus, Powell, Russell, Simmons, Smith, Stowers, Tatum, Ward, Watson, Watters, Woolf, White of Dallas—29.

Mr. Lowe moved that the vote by which the bill had passed be reconsidered, and then moved to lay that motion on the table.

The latter motion was carried.

H. B. 140. To amend section 4053 of the Code,

Was read the third time at length and passed—yeas 69, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Johnson, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, White of Geneva—69.

Nays—Messrs. French, Rabb—2.

H. B. 4. Authorizing the payment of fines and forfeitures with certain claims in Cherokee county,

Was taken up.

On motion of Mr. Winston the bill was amended by including the counties of Marshall and Blount within its provisions.

The bill was read the third time at length and passed—yeas 71, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bush, Blevins, Brown, Carter, Clark, Cochrane, Cornelius,

Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—71.

H. B. 84. To amend section 3089 of the Code,

Was taken up;

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 70, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, French, Hampton, Hardy, Higgins, Hogue, Johnson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Rattray, Richardson, Russell, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—70.

Nays—Messrs. Hundley, Nelson—2.

H. B. 139. To regulate the fees of constables in Macon county;

Was read the third time at length and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, French, George, Hampton, Henderson, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Ward, Webb, Williams, Winston, Woolf, White of Geneva—72.

H. B. 147. To repeal section four of an act to provide for the election and regulation of justices of the peace and con-



stables in that part of the county of Mobile which was included within the corporate boundaries of the city of Mobile, as the same was formerly incorporated, approved February 12, 1885;

Was read the third time at length and passed—yeas 70, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Brown, Carter, Clark, Cornelius, Darby, Dark, Denson, Dupree, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Richardson, Russell, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—70.

H. B. 132. To authorize the repayment to certain parties therein named, school moneys overpaid by them into the State treasury;

Was read the third time at length and passed—yeas 79, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—79.

H. B. 167. To repeal paragraph thirty-five (35) of section 629 of the Code of Alabama,

Was read the third time at length and passed. Yeas 67; nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Beaurdeaux, Bush, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore,

Lowe, Maddox, Mancill, Meador, Miller, Mosely, McElderry, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Rattray, Russell, Sowell, Smith, Stansel, Stone, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White, of Geneva—67.

Nays—Messrs. Maley, Simmons—2.

H. B. 162. To exempt certain property from taxation, Was taken up.

Mr. Lewis offered the following amendment: "Substitute for section 1 the following:

Section 1. Be it enacted by the General Assembly of Alabama, That all money loaned at a rate of interest not greater than the lawful rate of interest in this State, and secured by mortgage upon real estate exclusively, shall be exempt from taxation."

Mr. Winston offered the following, as an amendment to the bill:

To add to the last clause of section 1—There shall be exempted from taxation 40 acres of land as a homestead to every farmer who does not own over 80 acres of land, and said forty acres does not exceed two hundred and fifty dollars in value; and there shall be exempted one horse or mule to each resident of this State;

Which, on motion of Mr. Pettus, was laid on the table; yeas 43, nays 40.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bush, Brown, Clements, Cochrane, Cunningham, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Kemp, Knight, Lay, Ledyard, Lewis, Meador, Miller, Mosely, McLeod, Nisbet, Paine, Patton, Pettus, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Smith, Stowers, Tatum, Walker, Ward, Watters, Williams, Woolf—43.

Nays—Messrs. Adams, Allen, Bogart, Beaurdeaux, Blevins, Carter, Clark, Cornelius, Darby, Dupree, Dykes, French, Henderson, Higgins, Hogue, Hundley, Johnson, Lee, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McRee, Nelson, NeSmith, Parker, Porter, Richardson, Summers, Smisson, Stansel, Stone, Wade, Watson, Weaver, Webb, Winston, White of Geneva—40

Mr. Hundley offered the following amendment as a substitute for Mr. Lewis' substitute to section 1:

"Substitute for section 1 the following:

Section 1. That when any mortgage is executed upon any real estate in this State, the mortgagor shall be only re-

quired to pay taxes on the difference between the amount of the real estate and the amount of the mortgage."

Pending consideration, the hour of 2 p. m. arrived, and the house stood adjourned till to-morrow morning at 10 o'clock.

## FOURTEENTH DAY.

### HOUSE OF REPRESENTATIVES,

Wednesday, Nov. 28, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Thompson, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Willey Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

Journal of yesterday was read and approved.

### LEAVE OF ABSENCE

Was granted to Messrs. Pitts for one day, on account of sickness; Rabb, Powell and Russell, for Friday and Saturday next.

On motion of Mr. Rabb, the special order for this hour, being H. B. 276, was postponed until the unfinished business before the house was disposed of.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills, report the following correctly engrossed, to-wit: Nos. 4, 25, 84, 132, 139, 140, 147 and 167.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills, report the following bill properly enrolled:

H. B. 34. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Macon, and to provide for the transfer of certain cases therein pending and undisposed of to the circuit court.

B. M. MILLER,  
Chm'n. Com. on Enrolled Bills.

## SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the above report of committee on enrolled bills.

## UNFINISHED BUSINESS.

The unfinished business before the house being the consideration of—

H. B 162. To exempt certain property from taxation,  
Was taken up.

After discussion, on motion of Mr. McLeod, the amendments to the bill were laid upon the table.

On motion of Mr. McLeod, the bill was laid upon the table—yeas 70, nays 18.

Yeas—Messrs. Speaker, Adams, Benners, Bevis, Billingslea, Beurdeaux, Bush, Carter, Clark, Cunningham, Darby, Dark, Davie, Denson, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley,

McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Sowell, Summers, Smith, Stansel, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, White of Geneva—70.

Nays—Messrs. Arrington, Bogart, Clements, Cochrane, Curtis, Dupree, Knight, Ledyard, McRee, Paine, Pettus, Porter, Simmons, Smisson, Stone, Williams, Woolf, White of Dallas—18.

#### CALL OF COUNTIES.

On the call of the counties, the following bills were introduced :

By Mr. Wiley—

H. B. 423. To prohibit the taking up or bearing arms by any person, persons or body of men in a military capacity unless authorized by law.

By Mr. Tatum—

H. B. 424. To amend section 4887 of the Code.

By Mr. Higgins—

H. B. 425. To amend section 143 of the Code.

By Mr. Davie, (with petition.)

H. B. 426. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters, or cordials, or fruits preserved in alcoholic liquors, within two and a half miles of Barker's church in Star Hill beat or beat eight, in Barbour county.

By Mr. Dark—

H. B. 427. To amend section 4895 of the Criminal Code of Alabama.

By Mr. Simmons—

H. B. 428. To repeal an act entitled an act to regulate the publication of legal notices, in the counties of Shelby, Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Geneva, Covington, Bibb, Coffee, Dale and Lawrence, approved March 3, 1870, so far as it relates to the county of Coffee.

By Mr. Maddox—

H. B. 429. To dissolve garnishments in certain cases on the defendant giving bond and security for the payment of the judgment or debt or demand sued on.

By Mr. Anderson—

H. B. 430. To amend section one of an act entitled an act for the preservation of game animals and birds in the

counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same relates to the counties of Mobile and Baldwin.

By Mr. Wade—

H. B. 431. To relieve tax-payers from taxation on real or personal property to the amount of their indebtedness.

By Mr. Johnson—

H. B. 432. To protect laborers and persons who furnish materials for the construction of railroads.

By Mr. George—

H. B. 433. To declare void and of no force the sale of land for taxes made by the tax collectors in this State previous to the first day of January, 1881, when such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

By Mr. Darby—

H. B. 434. To amend an act entitled an act to more effectually secure competent and well qualified jurors in certain counties in this State, so far as the same relates to the county of Pike.

By Mr. Carter—

H. B. 435. To establish a county criminal court in Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

By Mr. McLendon (by request),

H. B. 436. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

By Mr. Adams—

H. B. 437. To prohibit any corporation created and organized under the laws of this State from purchasing stock of another for the purpose of defeating competition or creating a monopoly.

By Mr. Nelson—

H. B. 438. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate court of the county.

By Mr. Rattray (by request),



H. B. 439. To provide a stenographer for the courts of this State and to prescribe his duties and fees.

Also (by request),

H. B. 440. To require each judge of the supreme court to personally examine and read the record in all cases before that court.

By Mr. Clements—

H. B. 441. To amend sections 1 and 7 of an act approved February 22, 1887, to authorize the issue of the bonds of the State to the amount of nine hundred and fifty-four thousand dollars, for the purpose of paying, taking up and cancelling the bonds of the State, bearing six per cent. per annum, issued under an act approved February 13, 1879, to provide for funding the domestic debt of the State.

Also (by request, with notice and petition),

H. B. 442. In relation to trials of misdemeanors in Winston county.

By Mr. Nisbet—

H. J. R. 4. Proposing an amendment to section 1, Article VIII of the Constitution of Alabama.

The above and foregoing bills and joint resolution were severally read one time and referred to appropriate committees as follows:

House bills 440, 437, 438, 439, 431, 429, 442, to the judiciary.

House bills 441, 427, 424, and H. J. R. 4, to revision of laws.

House bills 435, 434, 430, 428, to local legislation.

H. B. 426, to temperance.

H. B. 425, to agriculture.

H. B. 432, to commerce and common carriers.

H. B. 436, to education.

H. B. 433, to ways and means.

H. B. 423, to military.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed:

H. B. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected.

H. B. 1. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Chambers county, and to regulate the proceedings therein, approved February 26, 1887, and to provide for the disposition of cer-

tain cases now pending in the county court of Chambers county.

H. B. 48. To amend sections 3 and 9 of an act entitled an act to more effectually secure competent and well qualified jurors in the county of Montgomery, approved February 21, 1887.

H. B. 63. To fix the time of holding the circuit courts in the counties composing the fourth judicial circuit.

H. B. 57. To divide the county of Mobile into three revenue commissioners districts, and to provide for the election of revenue and road commissioners therein;

And has amended as therein shown, and as amended, has passed—

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon, approved February 26, 1887, so that it shall not apply to resident citizens of Clay county, and Goodwater beat, Coosa county, Alabama, nor to stock belonging to non-resident citizens of said county and beat.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

On motion of Mr. Nelson, the house refused to concur in the senate amendment to house bill 6, and requested a conference committee.

Committee on the part of the house: Messrs. Nelson, Dupree and Arrington.

#### MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR,  
Montgomery, Nov. 28, 1888.

*Mr. Speaker:*

The governor has approved the following bills which originated in the House:

H. B. 16. An act to repeal an act entitled an act to regulate the trial of misdemeanors in the county of Elmore, approved February 24, 1887, and to provide for the disposition of certain cases now pending in the county court of Elmore county.

H. B. 69. An act to regulate the payment of claims against the general fund of Randolph county.

H. B. 112. An act to authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

H. B. 59. An act to permit the people of Marshall county to elect their county commissioners by a vote of the qualified electors of each commissioners district in said county.

H. B. 18. An act to authorize the county of Henry to borrow money and issue bonds for the purpose of building a court house and jail for the use of said county at Abbeville, Alabama.

THOS. H. CLARK,  
Recording Secretary.

#### REPORT OF STANDING COMMITTEE.

Mr. White of Dallas, asked and obtained unanimous consent to report the following bills, favorably, from the committee on appropriations :

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State; for the interest on the public debt, and for public schools.

H. B. 119. To make appropriations for the payment of the railroad commissioners and their clerks, and for other expenses of the railroad commission.

The foregoing bills were severally read a second time and placed on the calendar.

On motion of Mr. Wiley, 150 copies of house bill 232 were ordered to be printed for the use of the house.

#### RESOLUTION.

Mr. Lowe offered the following resolution :

*Resolved by the house of representatives of Alabama, That the auditor be and is hereby required to furnish to this body the names of the tax collectors who, on their final settlements with him, for the year 1887, paid into the State treasury over sixty thousand dollars in settlement of their accounts, as such tax collectors, with the State for taxes collected by them for the year 1887.*

*Resolved further, That the auditor be and is hereby required to furnish also to this body, a statement showing the commissions on amounts in excess of sixty thousand dollars*

allowed such tax collectors on their said final settlements; and also the commissions on amounts in excess of sixty thousand dollars which such tax collectors would have received had they been allowed commissions under the law as it stood before the Code of 1886 went into effect.

Adopted.

Mr. Pettus offered the following resolution:

*Resolved*, That the clerk be instructed to inform the senate that the house of representatives is now ready to receive them in the hall for the purpose of going into joint convention to ascertain and declare the result of the election held in the two houses on yesterday for senator in the Congress of the United States for the term beginning on the fourth day of March A. D. 1889.

Adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bill, your signature thereto is requested :

s. 4. An act to amend section 710 of the Code.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILL.

The speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the foregoing senate message.

#### JOINT CONVENTION.

The members of the Senate and of the house of representatives of the State of Alabama, convened in the hall of the house of representatives, at the hour of 12 m., in joint convention, for the purpose of ascertaining the result of the election held on yesterday in the respective houses of the General Assembly, for United States Senator.

There were present of the house :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Beaurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson,

Dupree, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Posey, Powell, Rabb, Richardson, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—89.

And of the Senate :

Messrs. President, Almon, Browne, Bulger, Burnett, Clanton, Compton, Cowan, Godfrey, Graham, Grant, Handley, Haralson, Huey, Milner, Parker, Parks, Rice, Rumph, Skeggs, Smith, Stallworth, Tayloe, Waddell, Williams—25.

The secretary of the Senate, and the clerk of the House then read the journals of yesterday of the Senate and of the House of Representatives, respectively, relating to the vote for United States Senator.

The President of the Senate then declared that Hon. Jno. T. Morgan, having received a majority of the votes cast in each house on yesterday, was legally and constitutionally elected Senator in the congress of the United States for the full term, commencing on the 4th day of March, A. D. 1889.

On motion of Mr. Grant, of the Senate, a committee of two on the part of the Senate, and three on the part of the House, were appointed to wait upon Hon. Jno. T. Morgan, notify him of his election as United States Senator, and invite him to address the General Assembly of Alabama.

Committee on the part of the Senate, Messrs. Grant and Compton ;

On the part of the House, Messrs. Pettus, Hundley, and Bogart.

The committee, after retiring, returned, escorting Hon. Jno. T. Morgan, who, thereupon addressed the General Assembly of Alabama.

The President of the Senate then declared that the purpose of the joint convention having been accomplished, it was dissolved.

The Senate retired to its Chamber.

#### REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably the following bills :

s. 77. To authorize the probate judge of Franklin county to transcribe certain deed and will records.

Also, (with amendment),

s. 64. To amend section 3792 of the Code.

H. B. 391. To amend section 3685 (5030) of the Code.

H. B. 388. To repeal an act entitled an act to repeal section 4031 of the Revised Code, so far as the same relates to Coffee and Geneva counties, so far as said act relates to the county of Geneva, and to revive and re-enact said section 4031 of the Revised Code.

H. B. 382. To regulate the fees of the judge of probate in the matter of exemptions to widows and minor children, so far as the same relates to Jefferson county.

H. B. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, the commissioners' districts, the public dirt roads, the railroads, streams, and such other matters and things of local interest and importance as they may deem proper in said county.

#### SPECIAL ORDER.

The special order for this hour being the consideration of—

H. B. 276. To provide for the public printing of the State, Mr. Rabb offered the following amendments:

In section one, line seven; section thirteen, lines seven and eight; sections thirteen, lines eight, ten, and thirteen, and section fifteen, line eighteen, wherever the word "biennial" occurs, erase it, and insert in lieu the word "annual," and wherever "biennially" occurs in said sections and lines, erase it, and insert in lieu the word "annually."

Adopted.

Also,

In section thirteen, lines eight and nine, strike out the words, "the two years" and insert in lieu thereof the words, "each year."

Adopted.

Mr. Wiley offered the following amendment:

In section one, line 27, insert after the word "education," the words "clerk of the supreme court, and examiner of public accounts."

Adopted.

Mr. Pettus offered the following amendment:



After the word "Montgomery," in section three, line six, insert the word "Selma."

Mr. Bogart offered the following as an amendment to Mr. Pettus' amendment :

Insert after the word "Selma," the word "Scottsboro."

Lost.

Mr. Pettus' amendment was lost.

On motion of Mr. Pettus, the bill was made the second special order for Monday next immediately after reading the journal.

On motion of Mr. Shorter, 150 copies of H. B. 166 were ordered to be printed for the use of the house, and the bill was made the special order for Wednesday next, immediately after reading the journal.

#### BILLS ON THIRD READING.

H. B. 72. To amend section 134 of the Code of 1886, (with amendment),

Was taken up.

Pending consideration the hour of 2 p. m. arrived, and the house stood adjourned till 10 a. m., Friday next.

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### FIFTEENTH DAY.

#### HOUSE OF REPRESENTATIVES,

Friday, November 30, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Billingslea, Bogart, Beurdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Richardson, Simmons, Sowell,

Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—93.

The journal of yesterday was read and approved.

#### LEAVE OF ABSENCE.

Was granted Messrs. Stowers, Davie, King, Longshore, Arrington, McElderry, till Monday next; to Mr. Smith till 12 m. to-day.

#### EXPLANATION OF VOTE

Mr. George asked and obtained leave to have spread on the journal the fact that on yesterday he labored under a misapprehension when he voted to table house bill 162; that had he known the vote was on tabling the bill he would have voted "no."

#### SPECIAL ORDER.

The special order for this hour being the consideration of—

H. J. R. 1. Proposing amendment to section 2, of Article XI, of the Constitution of the State of Alabama,

Was taken up.

Mr. Pettus offered the following amendment:

Add to the end of section 1 the following: "Provided, that the money collected from persons of the white race shall be applied exclusively to the education of children of the white race, and the money collected from persons of the black race shall be applied exclusively to the education of the children of the black race."

Adopted.

Mr. Hundley offered the following amendment:

Insert before the words "school districts," in section 1, the words "townships or."

Adopted.

Mr. Johnson offered the following amendment:

Amend by adding to section 2 the following: "Provided that the general assembly may confer upon the commissioners courts of the several counties of this State."

Lost.

Mr. Lee offered the following amendment:

Amend section 1 by striking out the words "for representatives" in 23d line.

Adopted.

The house joint resolution was read the third time at length and passed—yeas 69, nays 20.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Long, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Pratt, Rattray, Richardson, Simmons, Summers, Smith, Stone, Tatum, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, White of Dallas—69.

Nays—Messrs. Anderson, Billingslea, Bogart, Bradley, Hardy, Johnson, King, Lay, Lowe, Patton, Porter, Posey, Sowell, Smisson, Stansel, Stowers, Ward, Watson, Woolf, White, of Geneva—20.

Mr. Pettus, from a joint committee, submitted the following report :

The joint committee of the two houses, appointed to take into consideration the question of adjournment for recess, beg leave to report as follows : We recommend that the two houses adjourn for recess on Wednesday, the 12th day of December, 1888, at 2 p. m., and reconvene on Tuesday, the 29th of January, 1889, at 12 o'clock m.

Respectfully submitted,

BURNETT,

GODFREY,

Committee on part of senate.

PETTUS,

GEORGE,

WALKER,

Committee on part of the house.

Mr. Wiley offered the following amendment :

Strike out the words "Wednesday the 12th," and insert in lieu the words "Saturday the 15th."

Lost.

Mr. Hundley offered the following amendment :

Strike out the words "Wednesday the 12th" and insert in lieu thereof the words "Friday, the 14th."

Lost.

The report of the committee was concurred in.

## CALL OF COUNTIES.

On the call of the counties the following bills were introduced :

By Mr. White, of Dallas—

H. B. 443. To declare certain sales to creditors a general assignment.

By Mr. Pratt—

H. B. 444. To confer jurisdiction on justices of the peace to try cases under sections 4081, 4082, 4083, 4084 and 4985 of the Code.

By Mr. Shorter (by request, with petition),

H. B. 445. To require the parties living in the stock law districts in Bullock county to keep up a lawful fence along the line between Barbour and Bullock counties.

By Mr. Denson—

H. B. 446. To fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors in any part of beat No. 8, in Chambers county, Alabama.

Also,

H. B. 447. To prescribe the mode and time of advertising property for sale levied on under executions issued on the judgments of justices and notaries public with powers of justices, and attachments issued by such officers, and to fix the place of sale.

By Mr. McLeod (by request, with notice and proof),

H. B. 448. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, outside of the corporate limits and police jurisdiction of the city of Montgomery, except as to store-houses in beat 12 in Montgomery county, known as Downing's store; or within the town of Leighton, in Lawrence and Colbert counties, or in other places therein named, approved February 28, 1887, so far as the same relates to the town of Leighton in the counties of Lawrence and Colbert.

By Mr. Lee—

H. B. 449. To regulate the trial of misdemeanors in Conecuh county;

Also,

H. B. 450. To amend section 1396 of the Code;

Also,

H. B. 451. To amend section 1428 of the Code.

By Mr. Brown—

H. B. 452. To repeal an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters or mixtures, within five miles of Goodwater Academy, Coosa county, and in the county of Butler, except beat 12 in said county, approved February 19, 1887, so far as said act applies to Goodwater Academy in Coosa county.

By Mr. Mancill (with petition),

H. B. 453. To change the boundary lines between the counties of Covington and Crenshaw.

By Mr. Pettus (by request),

H. B. 454. To amend section 3839 of the Code.

By Mr. Lay—

H. B. 455. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon street and suburban railways within the city limits.

By Mr. McElvey—

H. B. 456. To make inoperative section 3069 of the Code, so far as the same relates to the goods, furniture and effects belonging to tenants of dwelling houses in the town of Brownville, Lee county, Alabama.

By Mr. Knight—

H. B. 457. To authorize the mayor and council of the town of Greensboro to issue bonds to take up the outstanding bonded indebtedness of said town and to provide sewerage and water for said town.

By Mr. Clark—

H. B. 458. To repeal subdivision 31 of section 629 of the Code, so far as it relates to Marion county.

By Mr. White of Dallas—

H. B. 459. To amend section 10 (ten) of an act entitled an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the City of Selma, and establish a local government therefor.

By Mr. Porter (with notice and proof),

H. B. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county, Alabama.

By Mr. Lowe (with notice and proof),

H. B. 461. For the relief of W. J. Mims, late tax collector of Jefferson county, Alabama;

Also,

H. B. 462. To amend an act to establish the city court of Birmingham, approved December 9, 1884.

By Mr. Cunningham—

H. B. 463. To appropriate the sum of \$33,119.90, the proceeds of the two and three per cent. fund now in the treasury for the improvement of the public roads of the State;

Also (by request),

H. B. 464. To change the name of the Huntsville & Nashville Railroad Company, and for other purposes.

By Mr. NeSmith (by request),

H. B. 465. To allow persons over the age of twenty-one years to practice law in the courts of justices of the peace and notaries public in the county of Lawrence.

By Mr. Cochrane—

H. B. 466. To repeal an act entitled an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto.

Also (by request),

H. B. 467. To repeal an act entitled an act to require all trains on railroads in this State, carrying passengers, to stop at the telegraph station now existing or hereafter established nearest or most accessible, to be determined by the railroad commission, to the county seat of each county through which the railroad, or any part thereof, may pass, for receiving and discharging passengers, approved February 20, 1887.

By Mr. Ledyard—

H. B. 468. To provide for the better policing of Frascati park, in the city of Mobile, and its environs, and for the better protection of visitors thereto.

By Mr. Fitzpatrick—

H. B. 469. To fix the compensation of the tax assessor of Montgomery county.

By Mr. Lewis—

H. B. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

By Mr. Parker—

H. B. 471. To allow the sheriff of Elmore county the same compensation for executing process of any kind in the justice of the peace court, as is now allowed by law for the same service in the circuit court.

By Mr. Bogart—



H. B. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

By Mr. Files—

H. B. 473. To confer upon the justices of the peace of Fayette county the same jurisdiction, and to require of them the performance of the same duties in regard to misdemeanors as is now exercised by the county court of said county in reference to the trial of misdemeanors, and that they shall receive the same fees therefor.

By Mr. Clements—

H. B. 474. To amend section 2 of an act to pay salaries to solicitors instead of fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

By Mr. Carter—

H. B. 475. To prohibit fraud in the sale of boots and shoes.

By Mr. Shorter —

H. B. 476. To amend section 463 of the Code.

By Mr. Webb (by request),

H. B. 477. To amend the charter of Talladega College, Talladega, Alabama.

Also,

H. B. 478. To empower the court of county commissioners of Talladega county to grant petitions made by two or more persons owning farms adjoining, to build outside fences and gates in non-stock-law districts, for their mutual protection, in Talladega county.

By Mr. NeSmith—

H. B. 479. To amend section 1319 of the Code.

The foregoing bills were severally read one time and referred to appropriate committees as follows :

House bills 443, 447, 459, 460, 461, 462, 473, 446 to judiciary.

H. B.'s 454, 451, 450, 465, 468, 470, 474, 475 and 478, to revision of laws.

H. B.'s 456, 449, 452, 445, 458 and 471, to local legislation.

H. B.'s 455, 463, 469, 476, to ways and means.

H. B.'s 466, 477, to education.

H. B. 444, to public health.

H. B. 457, to corporations.

H. B.'s 448, 479, to temperance.

H. B. 467, to commerce and common carriers.

H. B. 453, to counties and county boundaries.

H. B. 472, to public roads and highways.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 43. To amend sections 3, 6, 13 and 17 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887.

s. 91. To amend sections 19 and 23 of an act, approved the 28th day of March, 1873, and entitled "an act to establish a new charter for the city of Demopolis."

s. 31. To further define and punish the crime of embezzlement.

s. 108. To authorize the court of county commissioners of Lauderdale county to issue bonds of the said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling the said court to erect such iron bridges in said county as said county court may deem necessary.

s. 111. To authorize persons liable to road duty in Shelby and Walker counties to commute the same by a payment of money.

s. 120. To authorize and require the commissioners court of Marion county to make an order for the relief of J. P. Ford, late tax assessor of Marion county.

s. 121. For the relief of J. P. Ford, late tax assessor of Marion county.

s. 129. To provide for the election of mayor and councilmen of the town of Anniston,

And ordered the same forthwith to the house without engrossment.

And has concurred in the report of the joint committee in relation to recess.

And has amended as therein shown, and as amended has passed—

H. B. 13. To provide for funding and paying the legal debts of Selma, created prior to December 6, 1875.

W. L. CLAY,  
Secretary.

## SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

- s. 31, 43, 129, to judiciary.
- s. 91, to corporations.
- s. 108, to revision of laws.
- s. 111, to public roads and highways.
- s. 12, to ways and means.
- s. 120, to local legislation.

On motion of White of Dallas, the senate amendment to the H. B. 13—

Was concurred in—yeas 65, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Ben-  
ners, Billingslea, Bush, Blevins, Brown, Carter, Cornelius,  
Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes,  
Fitzpatrick, French, George, Hampton, Hardy, Higgins,  
Hogue, Johnson, Kemp, King, Knight, Kyle, Lee, Lewis,  
Long, Lowe, Mancill, Maley, Meador, Miller, McElvey, Mc-  
Lendon, McLeod, McRee, Nelson, Nisbet, Patton, Pettus,  
Pitts, Porter, Posey, Pratt, Richardson, Simmons, Smis-  
son, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward,  
Weaver, Williams, Woolf, White of Dallas, White of Ge-  
neva—65.

## REPORTS OF STANDING COMMITTEES.

Bills were reported favorably from the committees as fol-  
lows:

By Mr. Pettus, from the judiciary—

H. B. 407, To amend section 3090 of the Code.

H. B. 408. To empower the constable of Bessemer pre-  
cinct No. 33, in Jefferson county, to appoint deputies.

By Mr. Stansel, from revision of laws—

H. B. 316. To amend an act entitled an act to establish  
the Warrior Agricultural District, to provide for securing  
the same and management of its affairs, approved February  
12, 1879, amended by the general assembly of Alabama and  
approved February 13, '85.

s. 32. To require justices of the peace and other com-  
mitting magistrates to report all cases of persons held by  
them on preliminary trial to the grand jury on the second  
day of each term of the circuit and city courts.

s. 80. To amend section 3947 of the Code.

s. 107. To allow the sheriff of Conecuh county the same fees for public road service as are now allowed under the general laws of Alabama to other sheriffs.

s. 68. To provide for payment into court of money tendered for redemption of real estate on trials of unlawful detainer suits.

s. 73. To provide for the registration of all claims against the fine and forfeiture fund of Colbert county.

H. B. 96. To amend section 1754 of the Code of Alabama.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably, with amendment, to the bills—

s. 69. To regulate the using of electric, gas, naphtha, steam, or other motors or locomotives on lines operated as street or suburban railways.

Mr. Webb called up from an adverse report—

H. B. 87. To fix the amount of damages on appeals from judgments rendered for willful or negligent injury to stock, Which was read a second time and placed on the calendar.

Mr. Lee, from the committee on temperance, reported favorably to the bills—

H. B. 383. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within three miles of the Baptist and Methodist churches in the town of Daviston, Tallapoosa county, Alabama.

s. 94. To prohibit the sale of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in six miles of Stockton church in Baldwin county.

Mr. Johnson, from the committee on counties and county boundaries, reported favorably, with an amendment and minority report, to the bill,

H. B. 225. To form a new county to be called the county of Milner.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

H. B. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

H. B. 419. To elect the county board of commissioners and the superintendent of education of Lowndes county by the qualified electors of said county.

H. B. 381. To regulate the taking up and impounding of

stock owned by parties residing in non stock districts of Pike county, that may be taken up in stock districts of Pike and adjoining counties.

s. 105. To prohibit hunting and trapping game in any manner on the lands embraced in township fourteen, range sixteen, in Lowndes county.

Mr. Dykes called up from an adverse report,

H. B. 317. To repeal an act entitled an act to establish a court of county revenue for Chilton county, approved February 28, 1887,

Which was read a second time and placed on the calendar.

Mr. King, from the committee on public roads and highways, reported favorably to the bills,

H. B. 371. To amend section three of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads in said county, approved February 23, 1883.

H. B. 365. To amend sections one and two of an act entitled an act to amend section 1630 and sub-division two of section 1649 of the Code, and sections one and four of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 14, 1885.

H. B. 389. To repeal section thirteen of an act entitled an act to incorporate the town of Eunola, in Geneva county, Alabama, approved February 17, 1885.

H. B. 380. To provide for the working of the public roads in the county of Talladega.

Mr. Cunningham, from the committee on accounts and claims, reported favorably, with a substitute to the bill,

H. B. 154. For the relief of the colored university at Montgomery.

Mr. Hogue, from the committee on fees and salaries, reported favorably to the bill,

H. B. 364. To amend section 4883 of the Code, so far as the same relates to Jefferson county.

Mr. Denson called up from an adverse report,

H. B. 399. To relieve Wm. E. Jones, of Chambers county, Alabama, from the disabilities of non-age,

Which was read a second time and placed on the calendar.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

H. B. 384. To regulate the fees of the judge of probate of Jefferson county for recording maps and plats of land divided into town lots, and for making transcripts of the same.

H. B. 153. To amend an act to amend and extend the charter of the Mobile Mutual Insurance company, approved February 6, 1866, and to change the name of said company, and to amend an act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance company, approved February 4, 1867, and to amend an act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance company, approved February 6, 1866, approved August 11, 1868, which last act was approved February 17, 1885.

s. 75. To authorize the mayor and aldermen of the city of Tusculumbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of erecting school buildings and furnishing the same, and for draining, grading, macadamizing and improving the streets of said city, and to improvement of the spring in said city.

H. B. 398. To repeal the incorporation of the towns of Blount Springs, in Blount county, and the town of Broken Arrow, in St. Clair county.

s. 6. (With amendment). To incorporate the Alabama and Georgia Railroad company.

s. 84. To authorize the mayor and council of the city of Demopolis to issue bonds of said city for an amount not exceeding eight thousand dollars, bearing interest at a rate not exceeding eight per cent. per annum, for the purpose of purchasing school lots, erecting thereon suitable school buildings, and furnishing the same.

H. B. 131. (With substitute). To amend the charter of the town of Bessemer, and to re-incorporate the same as the city of Bessemer, and to establish a charter therefor.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Pettus presented a memorial, which was referred to the joint committee to examine into the convict system of the State.

On motion of Mr. Watson, H. B. 121 was made the special order for January 31, 1889, immediately after reading of the journal.

On motion of Mr. White of Dallas, H. B. 132 was made the third special order for Monday next, and a continuing special order from day to day until disposed of.



On motion of Mr. McLeod, H. B. 226 was made the special order for to-morrow, immediately after reading of the journal.

On motion of Mr. Darby, H. B. 355 was taken from the adverse calendar, read a second time, and placed on the calendar.

Information received from the auditor, under Mr. Lowe's resolution of yesterday, was read, and referred to the judiciary committee.

On motion of Mr. Johnson, house bills 72, 74, and 76 were recommitted to the committee on agriculture.

On motion of Mr. Pettus, 150 copies of H. B. 20 were ordered to be printed, and the bill was made a special order for Thursday next immediately after reading the journal.

#### BILLS ON THIRD READING.

H. B. 52. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors in McKinley beat, Marengo county,

Was taken up.

Mr. Winston offered the following amendment :

Insert after the words "Marengo county," in the title and body of the bill, the words "Guntersville beat, Marshall county."

Adopted.

The bill was read the third time at length and passed—yeas 71, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Darby, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Lowe Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Pratt, Rat-tray, Richardson, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—71.

H. B. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or beverages, within three miles of Liberty Coosa Missionary Baptist church, and Young's chapel Methodist church, in Etowah county,

Was read the third time at length and passed—yeas 77 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Pratt, Rattray, Richardson, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—77.

H. B. 135. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, nearer the Methodist church, at Rodgersville, Lauderdale county, than the beat line in every direction from said church,

Was taken up.

Mr. Cunningham offered an amendment, which was adopted.

The bill was read a third time at length and passed—yeas 74; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lee, Lewis, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—74.

H. B. 159. To provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county,

Was read the third time at length and passed—yeas 69; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Maddox, Mancill, Maley,

Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Pratt, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White, of Geneva—69.

The hour of 2 o'clock p. m. having arrived, the house stood adjourned till to-morrow morning at 10 o'clock.

## SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
Saturday, December 1, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Thompson of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Ratray, Richardson, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

The journal of yesterday was read and approved.

### LEAVE OF ABSENCE

Was granted to Mr. Billingslea till Tuesday next on account of sickness.

### RESOLUTIONS.

By unanimous consent, resolutions were offered as follows:

*Resolved by the House* (the Senate concurring), That the two houses of the general assembly shall meet in the hall of the house at 12 o'clock m., for the purpose of witnessing

the administering the oath of office to Thomas Seay, governor elect of Alabama.

*Resolved further*, That a committee of two from the house and one from the Senate be appointed to wait on Thomas Seay, and inform him of this action of the two houses.

*Resolved further*, That a committee of two from the house and one from the senate be appointed to wait on the chief justice of the supreme court of Alabama and request his presence for the purpose of administering the oath.

Adopted.

By Mr. Johnson—

*Resolved*, That all prohibition bills, of a local character, on the calendar, be referred to a special committee of three, of whom the chairman of the committee on temperance shall be chairman, with instructions to condense all the said bills into one, which shall be reported to the house as a substitute for all local prohibition bills on the calendar, which substitute shall be put on its passage as soon as the first local prohibition bill is reached on the calendar.

Adopted.

Mr. Pitts submitted the following report in the contested election case of Jack v. Richardson; accompanied with a minority report:

#### REPORT OF COMMITTEE.

*Mr. Speaker:*

The committee on privileges and elections, to whom was committed the case wherein W. P. Jack is contestant and Ed. R. Richardson is contestee for the seat in this body, as representative for Franklin county, respectfully report that they have carefully considered the law and evidence, and after due consideration, further report, that under the law and evidence, the contestee, Ed. R. Richardson, was not an inhabitant of Franklin county twelve months next preceding the 6th day of August, A. D., 1888, and was therefore ineligible, and is not entitled to a seat in this body, as a representative of Franklin county, and recommend the passage of the following resolution:

*Be it resolved*, That Ed. R. Richardson is not entitled to a seat in this house.

A. D. PITTS,  
Chairman of Committee.

## MINORITY REPORT.

We, the undersigned members of the committee on privileges and elections, respectfully dissent from the report of said committee, recommending the unseating of the sitting member, Ed. R. Richardson; because, in our opinion, the burden of proof is upon the contestant, Col. Jack, to show satisfactorily by at least a preponderance of the testimony that said Richardson was not an inhabitant of Franklin county for twelve months next preceding the August election, 1888, to-wit, the 6th day of August, 1888. The evidence being merely in equilibrium, the burden of proof, in its legal signification, has not been shifted upon the sitting member so as to devolve upon him the necessity of rebutting by evidence the allegations and charges contained in the grounds of contest. We are constrained to believe that these allegations and averments have not been sufficiently proven to justify us in voting to turn Mr. Richardson out of the house, however reluctant we may be to dissent from the action of the majority of this committee.

A. A. WILEY,  
CHAS. RATTRAY.

On motion of Mr. Pitts, the consideration of the report was made a special order for Tuesday next, immediately after reading the journal.

Mr. Pettus offered a memorial which was referred to the special joint committee on the convict system of the State.

Also, the resolution,

*Resolved*, That the rules of this house shall not be suspended except by the unanimous consent of every member present.

*Resolved further*, That on and after Monday, December 3, 1888, this house shall meet at 10 a. m., and adjourn at 1:30 p. m.; shall reassemble at 3 p. m., and adjourn at 6 p. m.

Which were referred to the committee on rules.

The speaker appointed, under Mr. Pettus' resolution, Messrs. Pettus and Brown, to wait on Chief Justice Stone, and Messrs. Benners and Moseley to wait on Hon. Thomas Seay.

## SPECIAL ORDER.

The special order of the house being the consideration of H. B. 226. To provide for the election of county superintendents of education in this State.

Was taken up.

The amendment offered by the committee, "to exempt from the operations of the bill the following counties: Barbour, Cleburne, Choctaw, Dallas, Greene, Hale, Mobile, Perry, Sumter, Washington, Wilcox, Talladega, Chambers, Madison, Jefferson, Randolph, Pickens and Crenshaw, was adopted.

After discussion, Mr. Adams called the previous question.

The call was sustained.

The main question was ordered to be put.

The bill was read a third time at length, and passed—yeas 69, nays 7.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Curtis, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Johnson, Kemp, Knight, Kyle, Ledyard, Long, Lowe, Maddox, Mancill, Maley, Meador, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Ratray, Richardson, Simmons, Sowell, Summers, Smith, Stansel, Stone, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—69.

Nays—Messrs. George, Hardy, Miller, Moseley, Pettus, Pitts, Smisson—7.

On motion of Mr. Nelson, the bill just passed was sent to the senate without engrossment.

#### PROTEST.

*Mr. Speaker :*

I desire to enter my solemn protest against the passage of the bill,

H. B. 226. To provide for the election of county superintendents of education in this State.

My reason is in brief, that it will have the effect of turning the entire school system of this State into a mere political machine, and will tend very greatly to retard the cause of education in this State.

F. L. PETTUS.



## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 159, 126, 135, 52.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills direct me to report the following bills correctly enrolled:

H. B. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected.

H. B. 48. To amend section 3 and 9 of an act entitled an act to more effectually secure competent and well qualified jurors in the county of Montgomery, approved February 21, 1887.

H. B. 1. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Chambers county and to regulate the proceedings therein, approved February 26, 1887, and to provide for the disposition of certain cases now pending in the county court of Chambers county.

H. B. 63. To fix the time of holding the circuit courts in the counties composing the fourth judicial circuit.

H. B. 57. To divide the county of Mobile into three revenue and road commissions districts and to provide for the election of revenue and road commissioners therein.

B. M. MILLER,  
Chm'n. Com. on Enrolled Bills.

## SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read, signed the bills, whose titles are set out in the foregoing report of committee on enrolled bills.

On motion of Mr. Pettus, the privileges of the floor of the house were extended to Hon. M. J. Greene, Grand Master of the Grand Lodge of Masons of Alabama.

## CALL OF COUNTIES.

On the call of the counties, bills were introduced,

By Mr. Maley—

H. B. 480. To prevent stock from running at large in beat seven (7) in Chambers county.

By Mr. Denson—

H. B. 481. To authorize the governor to settle with David G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer.

By Mr. Lee—

H. B. 482. To require probate judges to provide printed blank forms of deeds, mortgages and crop liens for use in their respective counties, and record books in conformity therewith, and to regulate the fees for recording the same.

By Mr. Billingslea—

H. B. 483. To prevent the tying or fastening of any live stock within fifty feet of any public road in this State.

By Mr. French—

H. B. 484. To amend section two of an act entitled an act to protect fish in the counties of Madison, Jackson, Marshall and Morgan, approved February 3, 1883.

Also, (by request)—

H. B. 485. To regulate the granting of license to sell vinous, spirituous, or malt liquors in Jackson county, Alabama.

By Mr. Porter—

H. B. 486. To amend sections 463 and 529 of the Code.

By Mr. Lowe—

H. B. 487. To define and regulate the jurisdiction of justices of the peace and notaries public who are ex officio justices of the peace in precincts 21 and 37 and in the wards of the city of Birmingham, Alabama, in Jefferson county, in said State, and to regulate their fees.

Also,

H. B. 488. To authorize the constables of the precincts of Jefferson county, Alabama, to appoint deputies and to regulate the service of process from justices courts by such constables and their deputies.

By Mr. Shorter—

H. B. 489. To authorize the registration of claims of justices of the peace and notaries public who are ex officio justices of the peace and constables against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

Also,

H. B. 490. To amend the act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

By Mr. Bush, (with petition),

H. B. 491. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating beverages, within three miles of Pea River Presbyterian church in Barbour county.

By Mr. Cornelius, (with petition),

H. B. 492. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, or cordials, or fruits preserved in alcoholic liquors, within five miles of Union Chapel church, in township 14, range 6, west, in Walker county, Alabama.

By My Hogue—

H. B. 493. To repeal an act repealing an act to authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

By Mr. Barnett, (by request),

H. B. 494. For the protection of the health of female employees engaged in commercial pursuits.

The above and foregoing bills were each read one time and referred to appropriate committees as follows:

House bills 487 and 488, to judiciary.

H. B.'s 481 and 486, to ways and means.

H. B.'s 480, 482, 483, 484, 489, 490, to local legislation.

H. B.'s 485, 491, 492, to temperance.

H. B. 493, to revision of laws.

H. B. 494, to public health.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 3. To amend section 2106 of the Code.

s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

s. 9. To amend an act to pay the solicitor of Jefferson county an annual salary by the county, and to require all fees now allowed by law, in the county, city and criminal courts of said county to said solicitor to be paid into the treasury of said county, approved February 28, 1887, and to provide for the pay of an assistant solicitor by the county.

s. 10. To amend an act to provide for the election of a solicitor for Jefferson county, and define his duties, approved November 27, 1886, and to provide for an assistant solicitor for Jefferson county and define his duties.

s. 110. To confirm the incorporation and organization of Tuskaloosa and Castle Hill Real Estate and Manufacturing Company, and to declare and define the powers of said company;

And ordered the last bill to the house without engrossment;

And passed the following bills:

H. B. 100. To create a separate school district in Blount county, Alabama, known as the Blount Springs District.

H. B. 5. To form a separate school district to be known as Salitpa School District, in Clarke county, Alabama.

H. B. 51. To authorize the taking and perpetuating the testimony of witnesses who are non-residents of this State.

H. B. 94. To amend an act to regulate the fees of officers of court against the fine and forfeiture fund of Wilcox county.

H. B. 93. To increase the pay of the county commissioners of Washington county.

And accedes to the request of the house for a committee of conference on—

H. B. 6, relating to amending a stock law in the several beats in Tallapoosa and Coosa counties.

Committee on the part of the senate: Messrs. Bulger and Parker.

And concurs in the house resolution relating to the inauguration of the governor.

Committee on the part of the senate: Messrs. Williams and Parks.

Also concurs in the resolution relating to the administering of the oath by the chief justice.

Committee on the part of the senate: Messrs. Milner and Haralson.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 83, 88, to judiciary.

s. 9, 10, to revision of laws.

s. 110, to corporations.

#### JOINT RESOLUTION.

Mr. Lowe offered the following joint resolution :

*Be it resolved by the house of representatives* (the senate concurring, That the joint committee heretofore raised by joint resolution to investigate the convict system, be and is hereby authorized to sit during the ensuing vacation, which is to begin on the 12th day of December, and ends on January 29th, 1889.

Mr. Hundley offered the following amendment :

Add to end of resolution, "Provided said committee shall not sit longer than seven working days."

On motion of Mr. Adams the amendment was laid on the table.

Yeas 48 ; nays 29.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Curtis, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Knight, Lay, Ledyard, Long, Maddox, Maley, Meador, Miller, McLeod, Nelson, Nisbet, Patton, Pitts, Porter, Smisson, Smith, Stansel, Stone, Tatum, Wade, Ward, Webb, Williams, Winston, Woolf, White of Dallas—48.

Nays—Messrs. Bogart, Carter, Darby, French, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lee, Lewis, Mancill, Moseley, McElvey, McLendon, McRee, NeSmith, Paine, Posey, Rattray, Richardson, Simmons, Sowell, Summers, Walker, Watson, Weaver, Wiley—29.

On motion of Mr. Adams the joint resolution was laid on the table.

Yeas 45 ; nays 33.

Yeas—Messrs. Adams, Allen, Bevis, Bourdeaux, Blevins, Bradley, Carter, Clark, Curtis, Darby, Dark, Dupree, Dykes, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lee, Long, Mancill, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Wade, Walker, Ward, Watson, Weaver, Wiley, Winston, White of Geneva—45.

Nays—Messrs. Speaker, Anderson, Barnett, Benners, Bogart, Bush, Brown, Clements, Cochrane, Cornelius, Fitzpatrick, French, George, Hardy, Ledyard, Lewis, Maddox

Maley, Meador, Miller, McLeod, Patton, Pettus, Pitts, Porter, Posey, Smith, Stansel, Stone, Tatum, Webb, Williams, Woolf, White of Dallas—33.

Mr. Lowe moved to discharge the joint committee to examine into the convict system of the State from further service.

Carried.

Mr. Shorter moved that the clerk instruct the senate of the action of the house in regard to said committee.

Carried.

#### INAUGURATION OF GOVERNOR SEAY.

At 12 m. the general assembly of Alabama met in joint assembly in the hall of the house of representatives.

The joint convention was called to order by the president of the senate, who announced the purpose of the joint convention to be the inauguration of the governor elect of the State of Alabama, Hon. Thos. Seay.

The governor elect was conducted to the speaker's chair by the joint inaugural committee of the two houses, and was presented to the general assembly by the president of the senate.

The oath of office was administered to His Excellency, Governor Thos. Seay, by the Hon. Geo. W. Stone, chief justice of the supreme court of Alabama.

The senate then returned to its chamber.

#### MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR,  
Montgomery, Dec. 1, 1888.

*Mr. Speaker:*

The governor has approved the following bills which originated in the House :

H. B. 104. An act to authorize the town council of Jacksonville, Alabama, to prohibit the running at large of hogs within the incorporate limits of said town of Jacksonville.

H. B. 34. An act to repeal an act entitled an act to regulate the trial of misdemeanors in the county of Macon, and to provide for the transfer of certain cases therein pending and undisposed of to the circuit court.

J. K. JACKSON,  
Private Secretary.



## RECONSIDERATION.

Mr. Stone moved to reconsider the vote by which the joint committee on the convict system was discharged.

Carried.

Mr. Stone moved that Mr. Lowe's motion to discharge convict committee be laid upon the table.

Carried.

Mr. Johnson moved that Mr. Lowe's motion to discharge convict system committee, be taken from the table, and that the consideration of said motion be made the special order for Monday next, after reading of the journal.

Lost.

## REPORTS OF STANDING COMMITTEES.

By leave, Mr. Nisbet, from the committee on agriculture, reported favorably to the bill,

H. B. 72. To amend section 134 of the Code, with substitute.

Mr. Wiley, from the committee on fees and salaries, reported favorably to the bills,

H. B. 331. To amend section 11 of an act entitled an act "to provide for the publication and distribution of the Code of Alabama," approved February 21, 1887.

H. B. 314. To fix the fees of coroners, with an amendment.

H. B. 244. To amend section one of an act entitled an act "to pay salaries to solicitor's instead of the fees which they now receive, and to require said fees to be paid into the State treasury," with an amendment.

s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office.

Mr. Ledyard, from the committee on military, reported favorably to the bills,

H. B. 421. To make an appropriation for the expenses of encampments of Alabama State Troops for the years 1889 and 1890.

H. B. 423. To prohibit the taking up, or bearing arms by any person, persons or body of men, in a military capacity, unless authorized by law.

Mr. Meador, from the committee on ways and means, reported favorably to the bills,

H. B. 368. To amend section 521 of the Code, so far as the same relates to Jefferson county.

H. B. 433. To declare void and of no force the sale of land for taxes made by the tax collectors in this State previous to the first day of January, 1881, when such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

H. B. 89. To fix the rate of taxation in this State,  
With an amendment.

The foregoing bills were severally read a second time and placed on the calendar.

#### BILLS ON THIRD READING.

H. B. 60. To provide for the election of a county solicitor by a vote of the people in Marshall county.

The amendment offered by the committee was adopted.

The bill was read the third time at length, and passed; yeas 47, nays 14.

Yeas—Messrs. Adams, Allen, Bevis, Bogart, Bush, Blevins, Brown, Carter, Clark, Clements, Cornelius, Curtis, Dark, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Lee, Lewis, Long, Mancill, Maley, Meador, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Paine, Porter, Posey, Rattray, Sowell, Summers, Smisson, Stansel, Stone, Tatum, Watson, Weaver, Webb, Williams, Winston, White of Geneva—47.

Nays.—Messrs. Speaker, George, Hardy, Ledyard, Maddox, Miller, Nisbet, Patton, Pettus, Pitts, Simmons, Smith, Woolf, White of Dallas.—14.

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, Ledyard, Lee, Lewis, Long, Lowe, Mancill, Maley, Meador, Miller, Moseley, McElvey

McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Rattray, Richardson, Simmons, Sowell, Smisson, Stansel, Stone, Tatum, Walker, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—63.

H. B. 11. To repeal an act entitled "an act to provide for the more efficient working of the public roads in Dallas county,"

Was read the third time at length and passed—yeas 69 ; nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Posey, Rattray, Richardson, Simmons, Sowell, Smisson, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

H. B. 165. To repeal an act to amend section 1630 of the Code of 1876, as to Wilcox county, approved February 11, 1887,

Was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Carter, Clark, Clements, Cornelius, Curtis, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Simmons, Sowell, Summers, Stansel, Stone, Tatum, Wade, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—66.

H. B. 155. For the relief of T. P. Chapman, late sheriff of Pickens county,

Was read the third time at length and passed—yeas 41, nays 17.

Yeas—Messrs. Benners, Bevis, Bourdeaux, Brown, Clements, Cochrane, Dark, George, Hampton, Hardy, Henderson, Hundley, Knight, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, Mc-

Lendon, McLeod, Patton, Pettus, Porter, Posey, Rattray, Simmons, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Webb, Williams, Winston—41.

Nays—Messrs. Speaker, Adams, Allen, Bogart, Blevins, Carter, Curtis, Darby, Dupree, French, Kemp, Long, Nelson, NeSmith, Summers, Weaver, White of Geneva—17.

The hour of 2 o'clock p. m. having arrived, the house adjourned till 10 a. m. Monday.

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## SEVENTEENTH DAY.

### HOUSE OF REPRESENTATIVES,

Monday, Dec. 3, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Willey, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

Journal of yesterday was read and approved.

### LEAVE OF ABSENCE

Was granted to Messrs. Kemp, and White of Geneva, for one day, on account of sickness.

### RECONSIDERATION.

On motion of Mr. Porter, the vote by which H. B. 60 passed on yesterday was reconsidered.

On motion of Mr. Lowe the vote by which the bill was ordered to a third reading was reconsidered.

Mr. Lowe moved that the bill be recommitted to the judiciary committee.

Lost.

Mr. Winston moved that 150 copies of the bill be printed for the use of the house.

On motion of Mr. Mancill, the motion to print was laid upon the table.

On motion of Mr. Winston the bill was made the special order for next Saturday immediately after reading the journal.

#### SPECIAL COMMITTEE.

The speaker announced as the special temperance committee: Messrs. Lee, Adams and Weaver.

#### ENGROSSED BILLS.

Mr. Smith, from committee on engrossed bills, reported the following correctly engrossed, to-wit: Nos. 155, 169, 165, 11.

JOHN V. SMITH,  
Chairman.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills, report the following properly enrolled:

H. B. 51. To authorize the taking and perpetuating the testimony of witnesses who are non-residents of the State.

H. B. 93. To increase the pay of the county commissioners of Washington county.

H. B. 94. To amend an act to regulate the fees of officers of court against the fine and forfeiture fund of Wilcox county.

H. B. 13. An act to provide for funding and paying the legal debts of Selma, created prior to December 6, 1875.

H. B. 100. An act to create a separate school district in Blount county, known as the Blount Springs District.

H. B. 5. To form a separate school district to be known as the Salitpa School District, in Clarke county, Alabama.

B. M. MILLER,  
Chm'n. Com. on Enrolled Bills.

## SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 126. To establish a new charter for the city of Huntsville.

s. 150. To amend section one of an act entitled an act to incorporate the Mechanics Hook and Ladder company of Montgomery, approved January 26, 1858.

s. 106. To amend section 1396 of the Code.

s. 113. To prohibit the sale of eatables, confections, drinks or any other merchandise or goods at any camp ground, association, or any meeting in this State, on Sunday.

s. 116. To regulate the summoning of the superintendent of the Alabama Insane Hospital as a witness in certain cases, and to authorize the taking of his testimony by deposition.

And has passed—

H. B. 53. To incorporate the Spring Hill Female Academy.

H. B. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away, or otherwise disposing of, for gain, spirituous, vinous or malt liquors, or intoxicating bitters, and the manufacture thereof, within the county of Jackson.

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs, or animals of the dog kind, in the county of Cherokee, approved February 23, 1887.

H. B. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree.

And ordered senate bills 126 and 150 to the house without engrossment.

W. L. CLAY,  
Secretary.

## SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :



- s. 113, 116, to judiciary.
- s. 106, to public roads and highways.
- s. 150, to corporations.
- s. 126, to special committee consisting of representatives from Madison county.

Mr. Pettus, from the committee on rules, reported the following additional rules :

Rule 52. That the rules of this house shall not be suspended except by a four-fifth's vote of every member present, provided a quorum must vote.

Rule 53. That after Monday, December 3, 1888, this house shall meet at 10 a. m. and adjourn at 1:30 p. m.; shall reassemble at 3 p. m. and adjourn at 6 p. m.

The report was concurred in.

#### SPECIAL ORDERS.

##### *First.*

H. B. 50. To prohibit the sale or giving away, or otherwise disposing of spirituous, vinous, or malt liquors, within three miles of Falkville, Morgan county, Alabama,

Was read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Davie, Dupree, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Hundley, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rat-tray, Richardson, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas—80.

##### *Second.*

H. B. 276. To provide for the public printing of the State.

Mr. Pettus offered the following amendments, which were adopted :

(1.) Amend by inserting in the second line of section 14 of the bill, after the word "edition," the words "in the State of Alabama."

(2.) Strike out the word "shall," in the fifth line of the fourteenth section, and insert "may."

(3.) Insert the words, "and best" before the words "responsible" in the sixth line of section fourteen.

(4.) Insert after the word "publishing," in the sixth line of section fourteen, the words, "but in determining which bid to accept the board may take into consideration the circulation of the bidder."

The bill was read a third time at length and passed—yeas 77; nays 0.

Yeas—Messrs. Adams, Allen, Anderson, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Johnson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas—77.

### *Third.*

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools.

The amendments offered by the committee to section 13, and the substitute for section 35, were adopted.

Mr. McLeod offered the following amendment to the amendment offered by the committee to section 38:

Strike out "fifty-five," where it occurs, and insert, "one hundred."

Mr. White of Dallas called for the previous question on Mr. McLeod's amendment.

The call was sustained.

The main question was ordered put.

The amendment was lost—yeas 44, nays 45.

Yeas—Messrs. Adams, Bevis, Bourdeaux, Blevins, Brown, Carter, Clark, Cunningham, Curtis, Dark, Dupree, Dykes, Files, French, Hundley, Johnson, King, Kyle, Lee, Long, Longshore, Lowe, Maddox, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Porter, Rabb, Rattray, Richard-

son, Simmons, Sowell, Summers, Tatum, Wade, Walker, Watson, Weaver, Webb, Wiley, Winston—44.

Nays—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bush, Bradley, Clements, Cochrane, Cornelius, Davie, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Knight, Lay, Ledyard, Lewis, Mancill, Maley, Meador, Miller, McLendon, McRee, Paine, Patton, Pettus, Posey, Powell, Pratt, Russell, Smisson, Smith, Stansel, Stone, Stowers, Watters, Williams, Woolf, White of Dallas—45.

Pending consideration, the hour of 2 p. m. arrived, and the house stood adjourned till to-morrow morning at 10 o'clock.

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## EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
Tuesday, December 4, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—96.

The journal of yesterday was read and approved.

### RECONSIDERATION.

Mr. Cornelius moved that the vote by which Mr. McLeod's amendment to H. B. 232 was on yesterday lost, be reconsidered.

Mr. Knight moved that Mr. Cornelius' motion be laid up on the table.

Lost—yeas 32, nays 62.

Yeas—Messrs. Anderson, Arrington, Benners, Bush, Cochrane, Davie, Fitzpatrick, George, Hardy, Kemp, King, Knight, Lay, Meador, Miller, Nisbet, Paine, Patton, Pettus, Posey, Powell, Pratt, Russell, Smith, Stansel, Stone, Stowers, Ward, Watters, Williams, Woolf, White of Dallas—32.

Nays—Messrs. Speaker, Adams, Allen, Barnett, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kyle, Ledyard Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Pitts, Porter, Rabb, Rattray, Richardson, Simmons, Sowell, Summers, Smisson, Tatum, Wade, Walker, Watson, Weaver, Webb, Wiley, Winston, White of Geneva—62.

Mr. Cornelius' motion to reconsider was carried.

#### ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report as correctly engrossed,

House bills 50, 276.

JOHN V. SMITH,  
Chairman.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree.

H. B. 53. To incorporate the Spring Hill Female Academy.

H. B. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away or otherwise disposing of for gain, spirituous, vinous or malt liquors, or in

toxicating bitters, and the manufacture thereof, within the county of Jackson.

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs or animals of the dog kind in the county of Cherokee, approved February 28, 1887.

B. M. MILLER,  
Chairman.

#### SIGNING BILLS.

The speaker, in the presence of the house, immediately after their titles had been read, signed the foregoing bills set out in the report of the committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed the following bills:

H. B. 70. To amend section 1422 of the Code of Alabama of 1886.

And has amended as therein shown, and as amended passed:

H. B. 167. To repeal paragraph 35 of section 629 of the Code of Alabama.

H. B. 84. To amend section 3089 of the Code.

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 8, 1887.

H. B. 277. To authorize the county of Mobile to make and issue bonds to the amount of one hundred and sixty-nine thousand dollars, for the purpose of redeeming and retiring certain bonds of equal amount to become due.

And has adopted a joint resolution herewith sent, relating to inviting Rev. J. L. M. Curry to address the General Assembly.

Committee on the part of the senate—Messrs. Handley and Bulger.

And has originated and passed the following bills:

s. 137. To amend section 749 of the Code.

s. 146. To prohibit the selling, bartering, exchanging or giving away spirituous, vinous or malt liquors, intoxicating bitters or beverages, within four miles of Allen's Factory church in Marion county, and within five miles of Corinth

church in beat No. 15 and township 12, range 13, in Marion county.

W. L. CLAY,  
Secretary.

# SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 137, to judiciary committee.

s. 146, to the committee on temperance.

The house concurred in the first senate amendment to—

H. B. 277. To authorize the county of Mobile to make and issue bonds to the amount of one hundred and sixty-nine thousand dollars, for the purpose of redeeming and retiring certain bonds of equal amount to become due.

Yeas 70, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochran, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Lay, Lee, Lewis, Long, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—70.

Mr. Benners voted nay—1.

Also, in the second senate amendment to H. B. 277—yeas 72, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Mosely, McElvey, McLendon, Nelson, Ne-Smith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—72.



Mr. Lay moved to non-concur in the senate amendment—  
H. B. 167. To repeal paragraph 35 of section 629 of the  
Code of Alabama;

And to request a conference committee thereon.

Carried.

Committee on the part of the house—Messrs. Watters,  
Pettus and Lay.

The senate amendment to—

H. B. 117. To amend an act entitled an act to amend sec-  
tion 499 of the Code of Alabama, approved February 8,  
1887,

Was taken up.

Mr. Paine moved to amend by adding after the word  
"Russellville" the words "Tuskegee, in Macon county."

Carried.

Mr. Pitts moved to amend by adding "Uniontown, Perry  
county."

Carried.

The senate amendment, as amended by the house, was  
concurrent in—yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter,  
Clark, Clements, Cochrane, Cornelius, Cunningham, Cur-  
tis, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick,  
French, George, Hampton, Hardy, Henderson, Higgins,  
Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis,  
Long, Longshore, Maddox, Maley, Meador, Miller, Moseley,  
McElderry, McElvey, McLendon, McLeod, Nelson, Ne-  
Smith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey,  
Powell, Rattray, Russell, Simmons, Sowell, Smith, Stan-  
sel, Stone, Stowers, Tatum, Wade, Walker, Ward, Wil-  
liams, Winston, Woolf, White of Geneva—73.

The senate amendment to—

H. B. 84. To amend section 3084 of the Code,

Was taken up.

Amendments were offered and adopted to exempt from  
the operations of the bill, the following counties :

Lamar, Etowah, Colbert, Lee, Conecuh, Bullock, Coving-  
ton, Russell, Crenshaw, Henry, Bibb, Dallas, Tallapoosa,  
Monroe, Lawrence, Talladega, Limestone, Jackson, Cull-  
man, Randolph, Winston, Tuscaloosa, Walker, Autauga,  
Mobile and Choctaw, Chilton, Chambers, Dale, Shelby,  
Cleburne, Fayette, Marion, Cherokee, Elmore, Geneva,  
Marshall, Washington, Clarke, Baldwin, Escambia, Bar-  
bour, Clay, St. Clair, Coffee, Jefferson, Pike,

As amended, the senate amendment was concurred in ;  
Yeas 51, nays 37.

Yeas—Messrs. Anderson, Arrington Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Fitzpatrick, French, George, Hampton, Hogue, Johnson, King, Knight, Kyle, Long, Longshore, Maddox, Mancill, Meador, McElderry, McElvey, McLendon, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Ratray, Richardson, Russell, Simmons, Summers, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watson, Watters, Weaver, Webb, Wiley, Williams—51.

Nays—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Billingslea, Bogart, Bush, Brown, Dupree, Dykes, Files, Hardy, Henderson, Higgins, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Pitts, Powell, Rabb, Ratray, Richardson, Sowell, Summers, Smission, Smith, Ward, Winston, Woolf, White of Dallas, White of Geneva.—37.

The senate joint resolution was concurred in.

Committee on the part of the house—Messrs. Fitzpatrick and McElderry.

#### MESSAGE FROM THE GOVERNOR.

##### EXECUTIVE DEPARTMENT,

##### GOVERNOR'S OFFICE,

December 4, 1888.

*Mr Speaker:*

The governor has approved the following bills, which originated in the house:

H. B. 1. To repeal an act entitled an an act to confer additional jurisdiction upon the county court of Chambers county, and to regulate the proceedings therein, approved February 26, 1887, and to provide for the disposition of certain cases now pending in the county court of Chambers county.

H. B. 57. To divide the county of Mobile into three revenue and road commissioners districts, and to provide for the election of revenue and road commissioners therein.

H. B. 63. To fix the time of holding the circuit courts in the counties composing the fourth judicial circuit.

H. B. 93. To increase the pay of the county commissioners of Washington county.

H. B. 94. To amend an act to regulate the fees of officers of court against the fine and fortune fund of Wilcox county.

H. B. 100. To create a separate school district in Blount county, known as the Blount Springs District.

H. B. 5. To form a separate school district, to be known as the Salitpa School District, in Clarke county, Alabama.

THOS. H. CLARK,  
Recording Secretary.

#### INTRODUCTION OF BILL.

By leave,

Mr. Pettus introduced, with notice and proof—

H. B. 495. To amend and ratify the charter of the Selma Land Improvement and Furnace Company;

Which was read one time and referred to the judiciary committee.

By unanimous consent, Mr. Pitts moved that H. B. 45 be made the special order for to-morrow morning immediately after reading the journal.

Carried.

By unanimous consent, Mr. Wiley moved that the consideration of the report of the committee on privileges and elections, in the contested election case of Jack v. Richardson, be made the special order after the disposal of H. B. 232.

Carried.

#### SPECIAL ORDER.

Consideration of H. B. 232, the general appropriation bill, Was resumed.

The pending question being the adoption of Mr. McLeod's amendment to section 38,

Mr. McLeod moved that a committee of two from each of the committees on ways and means, appropriations, and education be appointed; that said committee shall investigate the financial condition of State treasury as to its ability to make appropriations for public schools; said committee to report to-morrow morning immediately after the reading of the journal; and that consideration of section 38 be postponed till the report of said committee;

Which, on motion of Mr. Adams,

Was laid on the table.

Mr. McLeod's amendment was adopted;

Yeas 51, nays 43.

Yeas—Messrs. Adams, Allen, Bevis, Bogart, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, French, Higgins, Hundley, Johnson, King, Lay, Lee, Long, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Porter, Rabb, Rat-tray, Richardson, Simmons, Sowell, Summers, Tatum, Wade, Watson, Weaver, Webb, Wiley, Winston, White of Geneva—51.

Nays—Messrs. Speaker, Anderson, Arrington, Benners, Bourdeaux, Bush, Bradley, Clements, Cochrane, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Kemp, Knight, Lay, Lewis, Maley, Meador, Miller, Paine, Patton, Pettus, Pitts, Posey, Powell, Pratt, Russell, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watters, Williams, Woolf, White of Dallas—43.

Pending further consideration of the bill, the hour of 1:30, p. m. arrived, and the house stood adjourned till 3 p. m. to-day.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

#### EXPLANATION OF VOTE.

*Mr. Speaker :*

I desire to have my reason spread on the journal for voting "aye" on Mr. McLeod's amendment to section 38 of H. B. 232. I voted "aye" in order to move a reconsideration of the vote by which the amendment was adopted. I am opposed to the appropriation of \$100,000.00 additional, because, in my opinion, the treasury of the State is not in a condition to stand this appropriation.

DAN'L H. LAY.

## SPECIAL ORDER.

The house resumed consideration of H. B. 232.

Mr. McLeod offered the following amendment:

In section 38 strike out the words "six hundred and ten," and insert in lieu the words "seven hundred."

Adopted.

The question then recurred on the adoption of section 38 as amended.

The section as amended was adopted—yeas 49, nays 31.

Yeas—Messrs. Adams, Allen, Bevis, Bogart, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, French, Henderson, Higgins, Hundley, Johnson, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Parker, Porter, Rabb, Rattray, Richardson, Simmons, Sowell, Summers, Tatum, Wade, Walker, Watson, Weaver, Webb, Winston, White of Geneva—49.

Nays—Messrs. Speaker, Benners, Bourdeaux, Bush, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hogue, Kemp, Knight, Lay, Maley, Miller, McRee, Nisbet, Paine, Patton, Pettus, Posey, Powell, Pratt, Russell, Smith, Stowers, Ward, Williams, Woolf, White of Dallas—31.

Mr. Winston offered the following amendment:

In section 38, line 1, between the words "public" and "schools," insert the word "free."

On motion of Mr. Davie, the amendment was laid upon the table—yeas 65, nays 20.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bevis, Bourdeaux, Bush, Bradley, Brown, Carter, Clements, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Lee, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Wiley, Williams, Woolf, White of Dallas, White, of Geneva—65.

Nays—Messrs. Adams, Allen, Bogart, Clark, Cornelius, Curtis, Files, French, Henderson, Higgins, Lowe, Nelson, NeSmith, Porter, Rattray, Richardson, Summers, Wade, Weaver, Winston—20.

Mr. Winston offered the following amendment:

Add to section 38 the following: "Provided that no part

of the money appropriated by this section shall be used for any but the common schools."

Mr. Hogue offered the following amendment to Mr. Winston's amendment :

Add the words, "And a colored normal school."

Lost—yeas 42, nays 46.

Yeas—Messrs. Speaker, Benners, Bevis, Bush, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Henderson, Johnson, Knight, Longshore, Maddox, Meador, Miller, Moseley, McLeod, Nisbet, Patton, Pettus, Pitts, Posey, Rabb, Rattray, Russell, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—42.

Nays—Messrs. Adams, Allen, Arrington, Barnett, Bogart, Bourdeaux, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Higgins, Hogue, Hundley, Kemp, King, Lay, Lowe, Mancill, Maley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Porter, Powell, Pratt, Richardson, Simmons, Summers, Tatum, Wade, Ward, Wiley, White of Geneva—46.

Mr. Hogue gave notice that to-morrow morning he would move a reconsideration of the vote by which his amendment to Mr. Winston's amendment was lost.

Mr. Wiley moved that Mr. Winston's amendment be laid upon the table.

Lost—yeas 16, nays 71.

Yeas—Messrs. Barnett, Carter, Cunningham, Darby, George, Lowe, Miller, McElvey, McLendon, Paine, Patton, Stansel, Stone, Stowers, Wiley, Williams—16.

Nays—Messrs. Speaker, Allen, Arrington, Benners, Bogart, Bourdeaux, Bush, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Lee, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McLeod, Nelson, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Sowell, Summers, Smisson, Smith, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—71.

Mr. Winston's amendment was adopted—yeas 69, nays 16.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bush, Bradley, Brown, Clark, Clements, Cornelius, Cun-



ningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Lee, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Pettus, Pitts, Posey, Powell, Pratt, Rabb, Rat-tray, Richardson, Russell, Sowell, Summers, Smith, Stow-ers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Winston, Woolf, White of Dallas—69.

Nays—Messrs. Benners, Bourdeaux, Carter, Cochrane, Darby, George, Lowe, Paine, Patton, Porter, Smisson, Stan-sel, Stone, Wiley, Williams, White of Geneva—16.

Mr. Pettus moved to reconsider the vote by which Mr. Winston's motion was adopted and to table that motion.

Carried.

#### REPORTS FROM STANDING COMMITTEES.

By leave, Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably, with an amendment, to the bill—

H. B. 145. To create a convict labor reform commission for the purpose of investigating how best to employ the convicts in this State other than by the contract system, and what improvements in the commitment, custody and employment, management and discipline of convicts should be adopted, and to make an appropriation to pay the ex-penses thereof.

Mr. Lowe, from the committee on corporations, reported favorably to the bills—

With substitute—

H. B. 237. To confirm, amend and enlarge the charter of the Bessemer Dummy Line Company, and to change the name thereof.

H. B. 238. To confirm, amend and enlarge the charter of the Birmingham and Western Street Railway Company.

H. B. 103. To change the name of the town of Cross Plains, in the county of Calhoun, to Piedmont, and to estab-lish a charter for the town of Piedmont, in the county of Calhoun.

H. B. 341. To incorporate the town of Millport, in Lamar county, Alabama.

s. 91. To amend sections 19 and 23 of an act approved on the 28th day of March, 1873, and entitled an act to estab-lish a new charter for the city of Demopolis.

Mr. Wiley, from the committee on fees and salaries, reported favorably to the bill,

H. B. 358. To amend section 234 of the Code.

Mr. Nisbet, from the committee on agriculture, reported favorably to the bill,

H. B. 425. To amend section 143 of the Code.

Mr. McElderry, from the committee on public roads and highways, reported favorably to the bills,

H. B. 387. To incorporate the Gadsden Female Institute in the city of Gadsden, Alabama.

H. B. 375. To amend section 1398 of the Code, so far as the same relates to Lamar county.

H. B. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

Mr. Lee, from the committee on temperance, reported favorably the following bills :

H. B. 485. To regulate the granting of license to sell vinous, spirituous or malt liquors in Jackson county, Ala.

With amendment

H. B. 479. To amend section 1319 of the Code.

Mr. Lay, from the committee on ways and means, reported favorably to the bills,

(With amendment),

H. B. 455. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon street and suburban railways within the city limits.

s. 121. For the relief of J. C. Ford, late tax assessor of Marion county.

H. B. 469. To fix the compensation of the tax assessor of Montgomery county,

(With amendment).

Mr. Pettus, from the committee on judiciary, reported favorably to the bills,

H. B. 105. To create the 10th judicial circuit of Alabama.

H. B. 446. To fix the price of license to be paid for State and county purposes, by any person who applies for license to retail or wholesale vinous, spirituous or malt liquor, in any part of beat number eight, in Chambers county, Alabama.

H. B. 487. To regulate the jurisdiction of justices of the peace, and notaries public who are ex-officio justices of the peace, in precincts 21 and 37, and in the wards of the city of Birmingham, Alabama, in Jefferson county, in said State, and to regulate their fees.

H. B. 488. To authorize the constables of the precincts of Jefferson county, Alabama, to appoint deputies and to regulate the service of process from justice courts by such constables and their deputies.

H. B. 462. To amend an act entitled an act to establish the city court of Birmingham, approved December 9th, 1884.

H. B. 461. For the relief of W. J. Mims, late tax collector of Jefferson county, Alabama.

s. 129. To provide for the election of mayor and councilmen of the town of Anniston.

H. B. 443. To declare certain sales to creditors a general assignment.

H. B. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county, Alabama.

H. B. 374. To divide the State of Alabama into five chancery divisions.

s. 83. To amend section 2106 of the Code.

Mr. Walker, from a special committee, reported favorably the following bill:

s. 126. To establish a new charter for the city of Huntsville.

Mr. Denson called up,

H. B. 481. To authorize the governor to settle with David G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer,

From an adverse report, and the bill was read a second time and placed on the calendar.

Mr. Longshore called up,

H. B. 300. To regulate the terms of the various State and county officers,

From an adverse report, and the bill was read a second time and placed on the calendar.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Winston moved that,

s. 90. To amend an act entitled an act to require all trains on railroads in this State carrying passengers to stop at the telegraph station now existing or hereafter established, nearest or most accessible, to be determined by the railroad commission, the county seat of each county through which the road or any part thereof may pass, for receiving or discharging passengers, approved February 28, 1887;

Be taken from an adverse report, read a second time, and placed on the calendar.

Pending consideration, the hour of 6 p. m. arrived and the house stood adjourned till to-morrow morning at 10 o'clock.

## NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,

Wednesday, December 5, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Richardson, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

The journal of yesterday was read and approved.

### LEAVE OF ABSENCE

Was granted to Mr. Darby from 12 m. to-day till 12 m. Friday next; to Mr. McRee till to-morrow evening at 3 o'clock.

### REPORT OF STANDING COMMITTEE.

By leave Mr. Pettus, from the judiciary, reported favorably to—

H. B. 495. To amend and ratify the charter of the Selma Land Improvement and Furnace company,

Which was read a second time, and placed on the calendar.

On motion of Mr. Pettus H. B. 495 was made the special order for Friday next, immediately after reading the journal.

By leave, the following was spread on the journal:

*Mr. Speaker:*

Being absent on December 4th, under a joint resolution of the General Assembly, I desire to state that, if present, I would have voted against the amendment of Mr. Winston to section 38, of the appropriation bill, providing that none of the money appropriated should go to any but common free schools, believing that normal schools are of great advantage to the cause of education.

ERWIN LEDYARD.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 67. To amend section 1915 of the Code.

s. 145. To amend section 2707 of the Code.

s. 112. To incorporate the Montgomery & Sylacauga Railroad Company.

s. 56. To amend section two of an act entitled an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, in beat No. 2, known as Russellville beat, in Franklin county.

s. 47. To amend and ratify the charter of the Selma Land Improvement & Furnace Company.

s. 1. To amend section 714 of the Code of 1886.

s. 131. To protect outstanding crops in the county of Mobile.

And ordered the last three bills to the house without engrossment.

WM. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

s. 1, to a special committee consisting of Messrs. Clements, Denson, Henderson, Adams and Dark.

s. 131, 67, to revision of laws.

s. 47, 145, to judiciary.

s. 56, to temperance.

s. 112, to corporations.

## MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR,  
Montgomery, Dec. 5, 1888.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house:

H. B. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away, or otherwise disposing of, for gain, spirituous, vinous or malt liquors or intoxicating bitters, and the manufacture thereof, within the county of Jackson.

H. B. 107. To repeal an act entitled an act to regulate the keeping of dogs, or animals of the dog kind, in the county of Cherokee, approved February 28, 1887.

H. B. 48. To amend sections 3 and 9 of an act entitled an act to more effectually secure competent and well qualified jurors in the county of Montgomery, approved February 21, 1887.

THOS. H. CLARK,  
Recording Secretary.

## CALL OF COUNTIES.

By leave, the following bills were introduced:

By Mr. Johnson—

H. B. 496. To repeal an act entitled an act to constitute the town of Blountsville and vicinity in Blount county a separate school district.

By Mr. Mancill—

H. B. 497. To create Covington county into the sixteenth chancery district of the southern chancery division.

By Mr. Tatum—

H. B. 498. To provide for inspectors of records of county officers in Alabama.

By Mr. Kemp—

H. B. 499. To fix the time and place of holding the chancery court for Monroe county, Alabama.

By Mr. Benner—

H. B. 500. To provide for the appointment of a solicitor for the county of Hale and to prescribe his powers and duties.

By Mr. Lee—



H. B. 501. For the relief of Mrs. Mary Johnson, widow of Bryant Johnson, late of Conecuh county.

By Mr. King—

H. B. 502. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of, or the aiding or assisting any one to sell, give away, or otherwise dispose, or procure any vinous, spirituous, or malt liquors, or intoxicating bitters, beverages or fruits in the county of Butler, so far as the same applies to the corporate limits of the city of Greenville, in said county of Butler.

Mr. White of Dallas (by request),

H. B. 503. To authorize appeals in certain cases *in forma pauperis*.

Mr. Williams—

H. B. 504. To establish the city court of Anniston;

Also,

H. B. 505. For the preservation of game animals and birds in the county of Calhoun;

Also,

H. B. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4, 1879, and the various acts amendatory thereof.

Mr. Lay—

H. B. 507. To amend an act to require all insurance companies not organized under the laws of this State, to pay a uniform license tax of one hundred dollars per annum into the State treasury for the privilege of doing business in this State, approved February 28, 1887.

Also,

H. B. 508. To amend section 1761 (2098) of the code of Alabama.

Also,

H. B. 509. To deprive the Probate Court of jurisdiction to decree the sale of lands of an estate for distribution among the heirs or devisees, at the suit of the administrator or executor.

Mr. Pitts—

H. B. 510. To regulate the ballot and manner of voting in elections in this state.

Mr. Simmons—

H. B. 511. To authorize Josephine S. Mizell, widow of the late H. H. Mizell, to sell the homestead set aside to her, and George Mizell, Franklin Mizell, Lena Mizell and Charles Mizell, as the widow and minor children of said H. H. Mizell.

Also,

H. B. 512. To amend an act to create a separate school district in Coffee county, Alabama, and define the boundaries thereof. Approved December 11, 1886.

Mr. Stansel—

H. B. 513. To regulate the practice on references before Registers in Chancery.

Also,

H. B. 514. To amend section 3624 of the Code.

Mr. Winston (by request)

H. B. 515. For the relief of Lewis R. Powell of Marshall county.

Mr. Wade—

H. B. 516. To repeal an act entitled an act to pay salaries to solicitors instead of the fees which they now receive and to require said fees to be paid into the state treasury, approved February 28, 1887, so far as the same relates to the 9th judicial circuit.

Mr. Long—

H. B. 517. To prohibit the sale or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within three miles in every direction of Mount Zion church at Narrow station in Winston county.

Also,

H. B. 518. To amend section 4 of an act entitled an act to divide the State of Alabama into four chancery divisions, approved February 28, 1887, as to the 14th and 15th districts, of the northwestern chancery division.

Also,

H. B. 519. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters, within three miles, north, east, south and into the Marion county line, west of the Methodist church in the town of Delma in beat no. 2 in Winston county.

Mr. Hundley—

H. B. 520. To amend sections 2877, 2878, 2879, and 2880 of the Code.

Also,

H. B. 521. To provide the manner of payment of certain fees allowed sheriffs, as provided under section 4872 of the code.

Mr. Weaver,—

H. B. 522. To create a school district in township eight,

range two, west, Morgan county, Alabama, known as Lawrence Cove school district, and to incorporate the same.

Also,

H. B. 523. To make Wolf's beat, Morgan county, Ala., a school district.

Mr. McElderry—

H. B. 524. To repeal an act entitled an act to establish partial stock law districts in Talladega county, so far as the same relates to that part of beat 4, lying east of range line six in Talladega county.

Mr. Webb—

H. B. 525. To apply the two and three per cent. fund now on hand to the improvement of the public highways of each county in the State.

Also (by request)

H. B. 526. To require assistant solicitors and county solicitors to reside in the county in which they are required by law to exercise the duties of their respective offices.

Mr. Longshore (by request)

H. B. 527. To amend the charter of Shelby Iron company.

Also,

H. B. 528. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors or intoxicating bitters, within four and one half miles of Oak Grove church, Shelby county.

Mr. Ledyard—

H. B. 529. To incorporate the International Naval Academy of Mobile.

Mr. Porter (by request)—

H. B. 530. To regulate the practice of architecture in the State of Alabama.

Also,

H. B. 531. To create a board of education for the city of Bessemer and to prescribe the powers and duties of the same.

Also, (with petition)—

H. B. 532. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials or fruits preserved in alcoholic liquors, within five miles of Williamsburgh Baptist church, in precinct No. 30 in Jefferson county.

Also, (by request)—

H. B. 533. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating

bitters or cordials or fruits preserved in alcoholic liquors, within precinct No. 17 in Jefferson county.

Mr. Cunningham—

H. B. 534. In regard to the competency of husband and wife, in criminal proceedings ;

Also,

H. B. 535. To allow certain evidence in cases of homicide, assault with intent to murder, assault and battery and assault ;

Also,

H. B. 536. To incorporate the Western Contract and Construction Company of Alabama.

Mr. Bradley—

H. B. 537. To amend section 4035 of the Code of Alabama, so far as the same relates to Lamar county.

Mr. Adams—

H. B. 538. To repeal an act for the preservation of game animals and birds in Mobile and other counties named therein, approved February 13th, 1879, so far as the same relates to the county of Bibb.

Mr. Powell—

H. B. 539. To protect fish in Macon and Bullock counties.

Mr. Watson—

H. B. 540. To prohibit the sale, delivery, transfer, parting with, procuring or other disposition of spirituous, vinous or malt liquors or any intoxicating bitters or mixtures within two miles of Emen's Methodist church, in beat 6 in Crenshaw county.

Mr. Darby—

H. B. 541. To amend an act entitled an act to establish a normal school for the education of white male and female teachers at Troy, in Pike county, Alabama.

Mr. Bush—

H. B. 542. To amend section 2 of an act No. 162, in acts of 1882 and 1883.

Mr. Lowe—

H. B. 543. To authorize the auditor to settle with tax collectors for taxes collected and paid in by them for the year 1887 at the rate of commissions allowed by law in force at time of adoption of Code.

Mr. Wiley—

H. B. 544. To amend the charter of the city of Montgomery and the various acts amendatory thereof.

Mr. Lay—

H. B. 545. To amend sections 19 and 21 of an act entitled an

act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 49, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 104, 105, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and the counties thereof and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885.

Mr. Ward—

H. B. 546. To form a separate school district to be known as Baker school district, in Henry county.

Mr. Parker—

H. B. 547. To regulate the fine and forfeiture fund of Elmore county.

Mr. Davie, (by request)—

H. B. 548. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors in all places in Barbour county, except in incorporated towns having police regulations.

Mr. Denson—

H. B. 549. To constitute the town of LaFayette, in Chambers county, a special school district.

Mr. Russell, (by request,)—

H. B. 550. To incorporate the town of Benton, in the county of Lowndes.

Mr. Stowers—

H. B. 551. To exempt certain ministers of the gospel from work on the public roads.

Mr. Hogue—

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

The foregoing bills were severally read one time and referred to appropriate committees, as follows :

H. B. 497, 496, 499, 500, 508, 509, 534, 535, 536, 520, 521, 530, 504, 526, 518, 511 and 544 to the judiciary.

H. B. 503, 513, 574, 551, and 515 to revision of laws.

H. B. 525, 545, and 543 to ways and means.

H. B. 501, 505, 538, 542, 524, 546, 547, and 539 to local legislation.

H. B. 498, 531, 529, 523, 522, 512, 549, and 541 to education.

H. B. 540, 502, 532, 533, 528, 517, 548 and 519 to temperance.

- H. B. 510, to privileges and elections.
- H. B. 537, to public health.
- H. B. 516, to a special composed of the members from the 9th judicial circuit.
- H. B. 552, to special committee, Messrs. Hogue Pitts and George.
- H. B. 550, 527, 506 to corporations.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed the following bills :

H. B. 168. To punish persons who take by net or poison fish in Big Limestone creek in Limestone county.

H. B. 58. To prohibit the sale of liquors in Warrenton beat (14), Marshall county,

And has amended as therein shown, and as amended passed,

H. B. 92. To prohibit the sale of liquors within three miles of Day's Gap, Walker county, Alabama.

H. B. 2. To regulate the time of holding the circuit courts in the 5th judicial circuit of Alabama.

And has passed,

H. B. 114. To incorporate the Eutaw female college in the town of Eutaw, in Greene county, Alabama ;

And has acceded to the request of the house for a committee of conference on H. B. 167. Committee on part of the senate, Messrs. Burnett, Godfrey and Haralson ;

And concurred in the house amendment to senate amendment to,

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 18, 1887.

And has originated and passed the following bills :

s. 149. To amend section 3574 of the Code of Alabama.

s. 142. To incorporate the Roanoke Normal college, at Roanoke, Randolph county, Alabama.

s. 74. To amend and enlarge the provisions of section 991 of the Code ;

And ordered the same to the house without engrossment.

W. L. CLAY,  
Secretary.



## SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 149, to judiciary.

s. 74, 112, to revision of laws.

The senate amendment to amend H. B. 92, "to amend section 1, by striking out the word 'three' where it occurs, and insert in lieu thereof the word 'five;' amend caption to correspond.

Was concurred in—yeas 71, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, King, Kyle, Ledyard, Lee, Lewis, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—71.

The senate amendment to H. B. 2, "provided this act shall not take effect until July 1st, 1889,"

Was concurred in—yeas 76, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—76.

The senate amendment to H. B. 2, by adding after the word "week," at the end of paragraph 9, of section 1, the words "*Provided*, That the presiding judge may, in his discretion, continue the winter term of said court longer than one week for Bibb county, and until the business of said court is finished. *Provided further*, That the juries sum-

moned for said term shall continue to perform the duties of jurors for said term, and until the adjournment of the court,"

Was concurred in—yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Dark, Davie, Dykes, Files, Fitzpatrick, French, Hampton, Higgins, Hundley, Kemp, King, Kyle, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Pratt, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—68.

#### SPECIAL ORDER.

The house resumed consideration of the general appropriation bill, house bill 232.

Mr. Hogue offered the following amendment to subdivision 38. Add to subdivision 38 the following: "and colored normal schools; *Provided*, The amount apportioned shall be exclusively from the moneys which may be apportioned to the colored race for school purposes."

Adopted—yeas 82, nays 4.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Pratt, Rabb, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—82.

Nays—Messrs. Bradley, Clark, McElderry, Watson—4.

Mr. Nelson offered the following as a substitute for subdivision 26:

"Subdivision 26. For compensation of ten solicitors, twenty-five hundred dollars for each solicitor, for each year, in all fifty thousand dollars; *Provided*, That each solicitor

shall receive no more salary than are fees paid into the State treasury from their respective circuits."

Lost—yeas 23, nays 71.

Yeas—Messrs. Adams, Allen, Bevis, Blevins, Bradley, Carter, Clark, Curtis, Dark, Denson, Dupree, Dykes, French, Henderson, Higgins, Johnson, Maddox, Maley, Nelson, NeSmith, Paine, Summers, Winston—23.

Nays—Messrs. Speaker, Anderson, Arrington, Barnett, Ben-  
ners, Billingslea, Bogart, Bourdeaux, Bush, Brown, Clements,  
Cochrane, Cornelius, Cunningham, Darby, Davie, Denson,  
Files, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley,  
Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Longshore,  
Lowe, Mancill, Meador, Miller, Moseley, McElderry, McElvey,  
McLendon, McLeod, Nisbet, Parker, Patton, Pitts, Porter,  
Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell,  
Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walk-  
er, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams,  
Woolf, White of Dallas—71.

Mr. White, of Dallas, offered the following amendment :

"In sub-division 14, strike out the word 'four,' and insert in lieu the word 'three;' also, strike out the word 'eight,' and insert in lieu the word 'six.' "

Adopted.

Mr. Lay offered the following additional sub-division to section one :

"Sub. 44. For the purchase of registered bond blanks two hundred and fifty dollars for each year ; in all, five hundred dollars, or so much thereof as may be necessary."

Adopted.

The bill was read the third time at length and passed—yeas 80, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Brown, Clark,  
Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark,  
Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French,  
George, Hampton, Hardy, Henderson, Higgins, Hogue, Hund-  
ley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lowe,  
Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey,  
McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Par-  
ker, Patton, Pitts, Porter, Posey, Pratt, Rabb, Rattray,  
Richardson, Russell, Simmons, Sowell, Summers, Smisson,  
Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Wat-  
son, Weaver, Webb, Wiley, Williams, Woolf, White of Dal-  
las—80.

Nay—Mr. Winston—1.

## SECOND.

The house proceeded to the consideration of the report of the committee on privileges and elections in the contested election case of Jack vs. Richardson.

Mr. Adams moved to have all the testimony in the case read to the house.

Mr. Johnson offered as an amendment,

That the testimony of three witnesses for the contestant, and three for the contestee be read to the house.

On motion of Mr. Porter, Mr. Adams' motion and Mr. Johnson's amendment were laid upon the table.

Pending consideration, at 1:25 p. m., on motion of Mr. Whise, of Dallas, the house adjourned till 3 o'clock this afternoon.

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 AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

## SECOND SPECIAL ORDER.

The house resumed the consideration of the contested election case of Jack vs. Richardson.

After much discussion, pro and con, Mr. Denson called the previous question.

The called was sustained.

The main question was ordered to be put.

The resolution offered by the committee was adopted—yeas 50, nays 44.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Bradley, Clements, Cochrane, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Lay, Ledyard, Maley, Meador, Miller, McLeod, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Smisson, Smith, Stansel, Stone, Walker, Ward, Watson, Watters, Webb, Williams, Woolf, White of Dallas—50.

Nays—Messrs. Adams, Allen, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Dupree, Dykes, Files, French, Henderson, Higgins, Johnson, Kemp, King, Kyle, Lee, Lewis,

Long, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Simmons, Sowell, Summers, Stowers, Tatum, Wade, Weaver, Wiley, Winston, White of Geneva—44.

The above vote was verified by the Clerk—44.

Mr. Pitts moved that the vote by which the resolution was adopted be reconsidered, and then moved to lay that motion on the table.

The latter motion was lost—yeas 45, nays 48.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Billingslea, Bourdeaux, Bush, Bradley, Cochrane, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Lay, Ledyard, Maley, Meador, Miller, McLeod, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Smith, Stansel, Stone, Walker, Ward, Watson, Waters, Webb, Williams, Woolf, White of Dallas—45.

Nays—Messrs. Adams, Allen, Bevis, Bogart, Blevins, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dupree, Dykes, Files, French, Henderson, Higgins, Johnson, Kemp, King, Kyle, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Rattray, Simmons, Sowell, Weaver, Wiley, Winston, White of Geneva—48.

The above vote was verified by the clerk.

By unanimous consent Mr. Pitts withdrew his motion to reconsider.

Mr. Rattray gave notice that to-morrow morning he would make a motion to reconsider the vote by which the resolution was adopted unseating Ed. R. Richardson.

#### REPORTS OF STANDING COMMITTEES.

By leave, Mr. Watson, from the committee on local legislation reported favorably to the bills,

H. B. 277½. To prevent horses, mules, asses, cows, hogs, sheep and goats, from running uncontrolled on crops in beat No. 5, in Butler county; and to prescribe a rule of damages, and rules of protection in the trial of cases under this act.

B. B. 489. To authorize the registration of claims of justices of the peace, and notaries public who are *ex-officio* justices of the peace, and constables, against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

s. 120. To authorize the commissioners court of Marion

county to make an order for the relief of J. P. Ford, late tax assessor of Marion county.

H. B. 490. To amend the act entitled an act to authorize the commissioners court to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

H. B. 428. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Shelby, Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Geneva, Covington, Bibb, Coffee, Dale and Lawrence, approved March 3, 1870, so far as it relates to the county of Coffee.

H. B. 430. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same relates to the counties of Mobile and Baldwin.

H. B. 434. To amend an act entitled an act to more effectually secure competent and well qualified jurors in certain counties in this State, so far as the same relates to the county of Pike.

H. B. 406. To create a lien for advances to make crops in Hale county.

H. B. 315. To provide for and regulate the sale of vinous, spirituous or malt liquors, in the corporate limits of the town of Calera, Shelby county.

H. B. 449. To regulate the trial of misdemeanors, in Conecuh county.

Mr. Watson returned H. B. 482, and moved its reference to committee on revision of laws.

Carried.

Mr. McLeod, from the committee on education reported favorably to the bills:

H. B. 161. To permit and provide for the incorporation of separate school districts, in the county of Tuscaloosa.

s. 76. To constitute the city of Tuscumbia a separate school district, and to provide for the management of the public schools in said school district.

H. B. 236. To amend an act entitled an act to create a separate school district in Jackson county, known as Pleasant Grove, out of a part of township 5, range 6, east, (with amendment.)

H. B. 193. (With amendment), To complete, furnish and



equip the buildings of the Agricultural and Mechanical College.

H. B. 477. To amend the charter of Talladega College, Talladega, Alabama.

Mr. Davie, from the committee on public health, reported favorably to the bill,

H. B. 494. For the protection of the health of female employees engaged in commercial pursuits.

The foregoing bills were severally read a second time and placed on the calendar.

On motion of Mr. Stowers, H. B. 445 was re-committed to the committee on agriculture.

On motion of Mr. Lowe, H. B. 131 was made a continuing special order for Friday next, after reading the journal.

At 5:55 p. m., on motion of Mr. Denson, the house adjourned till to-morrow morning at 10 o'clock.

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## TWENTIETH DAY.

### HOUSE OF REPRESENTATIVES,

Thursday, December 6, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

The journal of yesterday was read and approved.

## PASSAGE OF BILL.

By unanimous consent, Mr. Denson called up—

H. B. 446. To fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors, in in part of beat number eight, in Chambers county, Alabama.

The bill was read the third time at length and passed; yeas 77, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Dark, Davie, Denson, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—77.

On motion of Mr. Denson, the bill was sent to the senate without engrossment.

## RECONSIDERATION.

Mr. Ratray moved to reconsider the vote by which the resolution unseating Ed. R. Richardson was on yesterday adopted.

After much discussion, Mr. Porter called the previous question.

The call was sustained.

The main question was ordered to be put.

The motion to reconsider was carried.

Yeas 50, nays 47.

Yeas—Messrs. Adams, Allen, Barnett, Bevis, Blevins, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dupree, Dykes, Files, French, Henderson, Higgins, Johnson, Kemp, Kyle, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Rabb, Ratray, Simmons, Summers, Stowers, Tatum, Wade, Watson, Weaver, Webb, Wiley, Winston, White of Geneva—50.

Nays—Messrs. Speaker, Anderson, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Bush, Bradley, Cochrane, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Lay, Ledyard, Maley, Meador, Miller, McLeod, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smisson, Smith, Stansel, Stone, Walker, Ward, Watters, Williams, Woolf, White of Dallas—47.

The above vote was verified by the clerk.

The question recurred on the adoption of the resolution to unseat Mr. Richardson.

The resolution was adopted—yeas 48, nays 47.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Bush, Bradley, Clements, Cochrane, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Lay, Ledyard, Maley, Meador, Miller, McLeod, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smisson, Smith, Stansel, Stone, Walker, Ward, Watters, Webb, Williams, Woolf, White of Dallas—48.

Nays—Messrs. Adams, Allen, Barnett, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Dupree, Dykes, Files, French, Henderson, Higgins, Johnson, Kemp, Kyle, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Rabb, Rattray, Simmons, Summers, Stowers, Tatum, Wade, Watson, Weaver, Wiley, Winston, White of Geneva—47.

The above vote was verified by the clerk.

#### INTRODUCTION OF BILLS.

By unanimous consent, bills were introduced by,

Mr. Stone—

H. B. 553. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within the Fairfield beat in Pickens county, Alabama.

Mr. White of Dallas—

H. B. 554. To make appropriation for the payment of sheriffs for the removal of prisoners for the fiscal year ending September 30, 1887, the appropriation for the purpose named for said year having been exhausted.

Mr. Smisson (by request),

H. B. 555. For the protection of widows and minor children;

Also,

H. B. 556. To prohibit the driving of logs, timber, or lumber in that part of Choctawhatchee river in this State below the town of Newton, in Dale county.

The foregoing bills were severally read a first time and referred to appropriate committees as follows :

H. B. 555, to judiciary.

H. B. 554, to appropriations.

H. B. 553, to temperance.

H. B. 556, to local legislation.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has amended as therein shown, and as amended has passed,

H. B. 95. To amend section 3945 of the Code.

H. B. 101. To prohibit the sale of liquors within five miles of Village Springs Academy, Blount county; and within five miles of Harkey's Chapel, four miles of Deerman's Chapel, precinct No. 6; Union church precinct No. 5; and Pleasant Hill church, precinct No. 4, in St. Clair county.

And has passed the following bills:

H. B. 142. To enforce the closing of gates upon the public roads and roads running through stock farms in Marengo county.

H. B. 62. To authorize the mayor and council of the city of Uniontown to issue bonds of said city for an amount not exceeding five thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or providing said city with a bored well, and erecting water works.

H. B. 159. To provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

And has originated and passed,

s. 123. To authorize private business corporations incorporated under the laws of this State, to hold stockholders and directors meetings, and do corporate acts in other States of the Union.

s. 123. To authorize the appointment of a trustee of funds arising from the sale of lands for distribution or division among joint tenants or tenants in common, in cases where one of the parties has only a life estate.

And ordered the same forthwith to the house without engrossment.

And has originated and passed,

s. 81. To amend an act to incorporate Rockford High School.

s. 140. To require all persons hereafter holding, and now holding claims as State witnesses in any of the courts of DeKalb county, against the fine and forfeiture fund, to have them registered; to require the treasurer of DeKalb county to keep a book in which such claims can be registered, and to require the treasurer to make a record of the settlement of such claims.

And has originated and passed, and ordered forthwith to the house without engrossment, the bill,

s. 114. To amend section 4648 of the Code.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows:

s. 123, to judiciary.

s. 133, to corporations.

s. 140, to revision of laws.

s. 81, to education.

s. 114, to penitentiary and criminal administration.

The following senate amendments to H. B. 101 (titles set forth in above senate message), were concurred in:

#### *First.*

Amend section 1 by inserting "1889" after the words "January 1st."

Yeas 82, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton,

Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—82.

*Second.*

Amend the caption and body of the bill by inserting before the words, "in St. Clair county," the words "or within five miles of Fishing Creek Methodist Church, at Siddon beat, No. 11."

Yeas 74, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bogart, Bourdeax, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Rabb, Rattray, Simmons, Sowell, Summers, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watters, Webb, Wiley, Williams, Winston, White of Geneva—74.

*Third.*

Amend caption and body of bill by inserting the words, "And within four miles of Allen's Factory Church, in Marion county; and within five miles of Corinth Church, in beat No. 15, and township 12, range 13, in Marion county; and within five miles of Wheeler's Chapel Church, in Marion county, and within five miles of Camp Ground Church, in Marion county, and in the town of Guin, and within five miles thereof in Marion county; and within five miles of Townley Station, in beat No. 6, in Walker county; and within five miles of Mt. Zion Church, in section 10, township 15, range 9, in Walker county; and within three miles of Hopewell Baptist Church, in Cullman county.

Yeas 63, nays 13.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bourdeaux, Bush, Blevins, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue,



Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Powell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—63.

Nays—Messrs. Bogart, Brown, Clark, Dykes, Files, Long, Longshore, Lowe, Mancill, Moseley, Paine, Posey, Pratt, Rattray, Smisson—13.

*Fourth.*

Amend by adding "within five miles of Townley Coal Mine, Walker county."

Yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins,  
Brown, Cornelius, Cunningham, Curtis, Dark, Davie, Den-  
son, Dupree, Fitzpatrick, French, George, Hampton, Hardy,  
Henderson, Johnson, Kemp, Lay, Ledyard, Long, Maddox,  
Maley, Meador, Miller, Moseley, McElderry, McElvey, Mc-  
Lendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker,  
Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons,  
Sowell, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward,  
Watters, Weaver, Webb, Williams, Woolf, White of Dallas,  
White of Geneva—68.

The house concurred in senate amendment to H. B. 95.

Add to caption the words, "so far as the same applies to the counties of Lowndes, Dallas, Perry, Hale and Wilcox."

Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bar-  
nett, Benners, Bevis, Billingslea, Bush, Blevins, Bradley,  
Brown, Carter, Clark, Cochrane, Cornelius, Cunningham,  
Dark, Davie, Dupree, Files, Fitzpatrick, George, Hampton,  
Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Longshore,  
Lowe, Maddox, Maley, Meador, Miller, McElderry, McEl-  
vey, McLendon, McLeod, McKee, Nelson, NeSmith, Nisbet,  
Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell,  
Pratt, Rabb, Rattray, Simmons, Sowell, Stone, Stowers, Ta-  
tum, Wade, Walker, Ward, Watson, Watters, Webb, Wil-  
liams, Winston, White of Dallas, White of Geneva—70.

During the consideration of the third senate amendment to H. B. 101, the following proceedings were had :

Mr. Clark moved that the house non-concur in the third senate amendment.

Lost.

Mr. Clark moved to make the consideration of the bill and pending amendments a special order for the 2d day of February, 1889.

Lost.

Mr. Clark offered the following amendment to the third senate amendment:

Add the following, "Provided the provisions of this act shall not apply to any incorporated towns, or town that may hereafter be incorporated in Marion county."

On motion of Mr. Johnson the amendment was laid upon the table.

#### ENGROSSED BILLS.

Mr. Smith, from committee on engrossed bills, reported as correctly engrossed H. B. 232.

On motion of Mr. Walker, s. 126 was made the special order for Saturday next at 3 p. m.

#### MESSAGE FROM THE SENATE.

*Mr Speaker :*

The senate has adopted the joint resolution herewith sent authorizing the joint committee on the convict system to sit during recess.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The joint resolution referred to in the above message was concurred in.

The hour of 1:30 o'clock p. m. having arrived, the house stood adjourned till 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.  
A quorum was present.

#### LEAVE OF ABSENCE

Was granted to Mr. Nesmith till to-morrow morning.

## INTRODUCTION OF BILLS.

By leave, bills were introduced by Mr. Lay—

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7, of section 454 of the Code of 1886.

Mr. Shorter (by request)—

H. B. 558. To amend the charter of the city of Eufaula.

Mr. Knight—

H. B. 559. To amend section 11 of an act entitled “an act to better enforce the working of public roads in the counties of Montgomery and Hale,” approved February 23, 1883, as amended by an act entitled “an act to amend an act entitled an act to better enforce the working of the public roads in the counties of Montgomery and Hale,” approved February 23, 1883, so far as the same relates to Hale county; approved February 12, 1885, so far as the same relates to Hale county.

Mr. Wade—

H. B. 560. To amend an act entitled an act “to provide for elections in the counties of Talladega and Cleburne, to determine whether or not the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors or intoxicating bitters, in Talladega or Cleburne counties, shall be prohibited,” approved February 28, 1887, so that the same shall apply to Etowah county.

Mr. Rattray—

H. B. 561. To limit the cost taxed in the supreme court on appeals.

Mr. Porter (with petition)—

H. B. 562. To constitute the town of Woodlawn a separate school district.

By Mr. Smith (by request)—

H. B. 563. To incorporate the Savannah, Americus and Montgomery Railway, and for other purposes.

By Mr. Hogue—

H. B. 564. To fix the pay of the superintendent of education of Perry county.

By Mr. Lay—

H. B. 565. To regulate the trial of bastardy proceedings in Mobile county.

By Mr. Miller—

H. B. 566. To amend section 3792 of the Code of Alabama.

By Mr. McLeod—

H. B. 567. To require the probate judge of Clarke county

to prepare and keep in his office a general, direct and reverse index of all deeds and mortgages of lands or any estate or interest therein.

The foregoing bills were severally read one time and referred to appropriate committees as follows:

H. B. 561, to judiciary.

H. B. 565, 566, 567, to revision of laws.

H. B. 558, 563, to corporations.

H. B. 557, to ways and means.

H. B. 562, to education.

H. B. 559, to local legislation.

H. B. 560, to temperance.

H. B. 564, to special committee, composed of Mess. Hogue and Pitts, with leave to report at any time.

#### REPORTS OF STANDING COMMITTEES.

By leave, Mr. Lay, from the committee on ways and means, reported favorably to the bills—

H. B. 545. To amend sections 19 and 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 49, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 105, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and the counties thereof, and to define the duties of officers engaged about the said assessment and collections of taxes, approved February 17, 1885, which last act was approved February 28, 1887;

Also,

H.B.507. To amend an act entitled an act to require all insurance companies not organized under the laws of this State, to pay a uniform license tax of one hundred dollars per annum into the State treasury for the privilege of doing business in this State, approved February 28, 1887.

Mr. Pitts, from the committee on privileges and elections, reported favorably to the bill,

H. B. 235. To authorize an election to sell, give away, or otherwise dispose of spirituous liquors and intoxicating bitters, in Fayette county,

With amendment.

Mr. Lee, from the special committee on temperance, reported favorably, by way of a substitute, to the bill,

H. B. 163. To prohibit the sale, giving away, bartering or

changing, or otherwise disposing of, alcoholic, vinous or malt liquors, or intoxicating bitters, beverages, or fruits preserved in alcoholic liquors, within four miles of any coal mine, or coal mining camp, or any iron ore mine, or mining camp, in the counties of Colbert, Franklin, Walker, Jefferson and Tuscaloosa; or within one and a half miles of Pleasant Hill Baptist church, Cox's beat, in Etowah county; or within three miles of the Cumberland Presbyterian and Methodist churches at Maysville, in Madison county; or within three miles of Shady Grove church, situated about two miles north of Reform, Pickens county; or in beat number eight in Walker county; or within four miles of Cove Creek Cumberland Presbyterian church, in Etowah county; or within two miles of State Line church, in Limestone county; or within two miles of the town of Kinsley, in Henry county; or within three miles of the Baptist and Methodist churches in the town of Daviston, in Tallapoosa county; or within four miles of the church and Masonic Hall at Fernbank, on the Georgia Pacific Railroad, in Lamar county; or within two miles and a half of Barker's church, in Barbour county; or within three miles of Pea River Presbyterian church in Barbour county; or within five miles of Union Chapel church, in Walker county; or within two miles of Emen's Methodist church, in Crenshaw county; or within five miles of Wheeler's Chapel church and Camp Ground church, in Marion county; or within two miles of Bethel Baptist church, in Barbour county; or within six miles of Stockton church, in Baldwin county; or within four miles of Allen's Factory church, in Marion County; or within five miles of Corinth church, in Marion county; or within five miles of Williamsburgh Baptist church, in Jefferson county or within the limits of Barbour, except in incorporated towns, having police regulations; or within three miles of the Methodist church at Delma, in Winston county on the north, east and south, and the Marion county line on the west; or within three miles of Mount Zion church at Nauvoo station, in Winston county; or within four and a half miles of Oak Grove church, in Shelby county; or within the limits of precinct number seventeen, in Jefferson county; or within five miles of Zion church, in Walker county; or within three miles of Hopewell Baptist church, or Hanceville Baptist church, in Blount county.

Mr. McElderry, from the committee on public roads and highways, reported favorably to the bills—

s. 111. To amend an act to authorize persons liable to

road duty in Shelby and Walker counties to commute the same by payment of money.

s. 106. To amend section 1396 of the Code—Defines who shall be exempt from working on public roads.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills—

H. B. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

H. B. 418. To amend section 7 of an act entitled an act to incorporate Howard College, approved December 29, 1881—Defines its location.

Mr. Lee, from the committee on temperance, reported favorably to the bill—

H. B. 221. To prohibit the sale or otherwise disposing of vinous, or spirituous, or other intoxicating drinks, in any of the precincts in Covington county, unless the same first be submitted to the qualified voters of said precinct, or precincts therein.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills—

H. B. 447. To prescribe the mode and time of advertising property for sale, levied on under executions issued on the judgments of justices of the peace and notaries public with powers of justices, and attachments issued by such officers, and to fix the place of sale.

s. 47. To amend and ratify the charter of the Selma Land Improvement Company.

H. B. 220. To regulate the term of the circuit court in Lamar county, in the 6th judicial circuit of the State of Alabama, and to fix the time of holding the same.

s. 116. To regulate the summoning of the superintendent of the Alabama Insane Hospital as a witness in certain cases, and to authorize the taking of his testimony by deposition.

Mr. Clements, from special committee, reported favorably to the bill—

s. 1. To amend section 714 of the Code of 1886, north-eastern chancery division—time and places of holding courts, etc.

Mr. Hogue, from committee, reported favorably to the bill—

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

The foregoing bills were severally read a second time and placed on the calendar.



## RESOLUTIONS.

By leave,

Mr. Williams offered the following resolution:

*Resolved*, That after to-day the afternoon sessions be given to the consideration of bills on the calendar; and that immediately after roll call, the counties shall be called in regular order, and each member shall have the privilege of calling up one bill and put it on its passage. Call of counties beginning each day where it left off the preceding day.

*Be it further Resolved*, That no local bill shall be discussed longer than five minutes.

Mr. Johnson offered the following, as an amendment:

That no member shall hereafter speak longer than 15 minutes on any question, and shall not be allowed to speak more than once until all members who desire to speak have spoken.

The resolution and amendment were referred to the committee on rules.

By leave,

Mr. Pettus offered the following resolution:

*Resolved*, That the house shall meet at 10 a. m., and adjourn at 1:30 p. m.; shall re-assemble at 4 p. m., and adjourn at 6 p. m.,

Which was referred to the committee on rules.

On motion of Mr. Porter, H. B. 20 was made a continuing special order for January 29, '89, immediately after reading the journal.

On motion of Mr. Johnson, H. B. 225 was made a special order for February 4, 1889, immediately after reading the journal.

On motion of Mr. Lee, H. B. 163 was made the special order for to-morrow at 3 p. m.

## BILLS ON THIRD READING.

By leave, bills were called up as follows:

By Mr. Rabb—

H. B. 125. To amend section 716 of the Code fixing time of holding courts in south eastern chancery division.

The bill was read a third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark,

Clements, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Mosely, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stowers, Tatum, Wade, Walker, Weaver, Webb, Winston, Woolf, White of Geneva—73.

By Mr. Hundley—

H. B. 45. To incorporate the Farmers Alliance Exchange of Alabama,

With an amendment.

The amendment offered by the committee to strike out section 6 of the bill, was adopted.

The bill was read a third time at length and passed; yeas 84, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—84.

By Mr. Billingslea—

H. B. 181. To establish a sinking fund commission for Selma.

The bill was read the third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Kyle, Ledyard, Lewis, Longshore, Lowe, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smith,

Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—73.

By Mr. Blevins—

s. 21. To incorporate the Guntersville, Fort Payne and Chattooga Valley Railroad Company.

The bill was read the third time at length and passed—yeas 70, nays 0.

Yeas— Messrs. Speaker, Adams, Arrington, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Summers, Smith, Stansel, Stone, Stowers, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—70.

By Mr. Kyle—

H. B. 241. To amend sections two, three, four, six, fourteen and thirty-three of an act “to incorporate the district of Opelika, and provide for the government thereof,” approved February 16, 1885.

Mr. Kyle offered the following amendments, which were severally adopted:

Section 2. Where the words, “an election to be held upon the *first* Tuesday in March, 1889,” to be changed so as read *fourth* Tuesday in March, 1889. The same change to be made throughout the bill where the words first Tuesday appears; *i. e.*, substituting *fourth* for *first*.

Also, in section 2,

Where the words, “it shall be the further duty of the judge of probate of Lee county, at least *ten* days before the election,” to read *twenty* days; also strike out the words “*at least.*”

Also in section 2,

“And it shall be their duty, immediately after appointment, to keep a book open for registration, etc. Add to this clause, *said registration list shall be closed ten days before said election.*”

Also, in latter clause section 2,

After describing the size, etc., of the ballot, and after the word “office,” to read—and office of *president of board of commissioners, commissioners, clerk, and chief of police, of*

which said party is a candidate, to be written or printed thereon.

Section 33. Strike out the words "that this act shall go into effect from and after the 5th day of March, 1889;" and to read as follows: "*that all laws and parts of laws in conflict with the provisions of this act, as amended, be and the same are hereby repealed.*"

The bill was read the third time at length and passed—yeas 60, nays 2.

Yeas—Messrs. Speaker, Adams, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hardy, Henderson, Hogue, Johnson, Kyle, Ledyard, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElderry, McLendon, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Wade, Watson, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—60.

Nays—Messrs. McElvey and Maley—2.

By Mr. Williams—

s. 129. To provide for the election of mayor and councilmen of the town of Anniston.

The bill was read a third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Dark, Denson, George, Hampton, Henderson, Hogue, Hundley, Johnson, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

By Mr. George—

H. B. 329. To amend sections 1, 2 and 3 of an act to regulate the taking up of stock in districts where stock of any kind is prevented by law from running therein in Wilcox county, approved February 24, 1887.

The bill was read the third time at length and passed—yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson,

Files, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Wade, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—68.

By Mr. Lay—

H. B. 360. To prescribe the civil jurisdiction, and regulate the practice in civil cases of the city court of Mobile county.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Arrington, Bogart, Blevins, Bradley, Carter, Clark, Clements, Cornelius, Dark, Denson, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattary, Sowell, Smisson, Smith, Stansel, Stone, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—59.

By Mr. Mancill—

H. B. 110. To repeal section 4193 of the Code, so far as the same relates to the county of Covington.

Pending consideration, on motion of Mr. Smith, at 5:50 p. m., the house adjourned till to-morrow morning at 10 o'clock.

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## TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
Friday, December 7, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight,

Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—88.

The journal of yesterday was read and approved.

#### ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 360, 125, 181 and 45.

JOHN V. SMITH,  
Chairman.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 92. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within five miles of Day's Gap, Walker county, Alabama.

H. B. 2. To regulate the time of holding the circuit courts in the 5th judicial circuit of Alabama.

H. B. 114. To incorporate the Eutaw female college in the town of Eutaw, in Greene county, Alabama;

H. B. 117. To amend an act entitled an act to amend section 499 of the Code of Alabama, approved February 18, 1887.

H. B. 58. To prohibit the sale of liquors in Warrenton beat (14), Marshall county.

H. B. 168. To punish persons who take by net or poison fish in Big Limestone creek in Limestone county.

H. B. 70. To amend section 1422 of the Code of Alabama of 1886.

H. B. 95. An act to amend section 3945 of the Code of Alabama, so far as the same applies to the counties of Limestone, Dallas, Perry, Hale and Wilcox.

H. B. 142. An act to enforce the closing of gates upon the public roads and roads running through stock farms in Marengo county.



H. B. 159. An act to provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

H. B. 62. An act to authorize the mayor and council of the city of Uniontown to issue bonds of said city for an amount not exceeding five thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or providing said city with a bored well, and erecting water works.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The Speaker of the house in the presence of the house, after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report from the committee on enrolled bills.

#### SPECIAL ORDERS.

##### *First.*

H. B. 495. To amend and ratify the charter of the Selma Land Improvement and Furnace Company.

Mr. Pettus moved that the bill be laid on the table, and that—

s. 47. To amend and ratify the charter of the Selma Land Improvement & Furnace Company,

Be substituted and take its place.

Carried.

s. 47 was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Blevins, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Fitzpatrick, French, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Ne-Smith, Paine, Parker, Pettus, Porter, Pratt, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Watson, Watters, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—66.

*Second.*

H. B. 545. To amend sections 19 and 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 49, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 104, 105, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885,

Was read the third time at length and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Kyle, Lay, Ledyard, Lee, Lewis, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Powell, Pratt, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—72.

*Third.*

H. B. 507. To require all insurance companies not organized under the laws of this State, to pay a uniform license tax of one hundred dollars per annum into the State treasury for the privilege of doing business in this State, approved February 28, 1887,

Was read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter,

Posey, Powell, Pratt, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—80.

*Fourth.*

H. B. 131. To amend the charter of the town of Bessemer and to incorporate the same as the city of Bessemer, and to establish a charter therefor,

With a substitute.

The substitute offered by the committee was adopted.

The bill was read the third time at length, and passed—yeas 81, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Dallas—81.

On motion, H. B. 131 was sent to the senate without engrossment.

CALL OF COUNTIES.

On the call of counties, bills were introduced,

By Mr. Higgins, (with petition),

H. B. 563. To change the boundary line between Cullman and Winston counties, (with petition.)

Mr. Smisson—

H. B. 569. To prevent the establishing of confectioneries near Antioch, St. Marks and Hickory Level colored churches in Dale county, this State.

Mr. Paine, (with petition and notice and proof),

H. B. 570. To amend an act to prohibit stock from running at large in beats numbers 4, 5 and 6, and the southern parts of beats numbers one (1) and three (3) and the western part of beat number seven, in Macon county, Alabama, and to provide for the establishment of districts in other

parts of said county, in which stock shall not be permitted to run at large, approved February 5, 1883, and amended February, 1885.

Mr. Woolf, (by request),

H. B. 571. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at, or within certain localities in the State hereinafter designated, approved February 28, 1881, and published on pages 148 to 154 inclusive, in the acts of Alabama of 1880-81, so far as the same relates to Van Dorn Station in Demopolis beat, Marengo county, Alabama.

Mr. Lewis, (by request),

H. B. 572. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages of any description whatever, at or within one and a half miles of the Zion Baptist church in Mobile county.

Also, (by request),

H. B. 573. To amend section 2124 of the Code.

Mr. Fitzpatrick—

H. B. 574. To repeal section 4892 of the Code, so far as it relates to Montgomery county.

Mr. Stansel—

H. B. 575. To give the courts power to order the production of books or writings in actions at law.

Mr. Carter, (by request),

H. B. 576. To repeal section 762 of the Code of Alabama, so far as the same relates to the county of Pike.

Mr. Longshore, (by request),

H. B. 577. To regulate the trials of misdemeanors in Shelby county.

Mr. Cochrane—

H. B. 578. To authorize the court of county commissioners of Tuscaloosa county to purchase claims against the fine and forfeiture fund of said county.

Also,

H. B. 579. To prohibit the hunting of deer with dogs in certain portions of Tuscaloosa county.

Also,

H. B. 580. For the preservation of game animals and birds in the county of Tuscaloosa.

Mr. Pitts—

H. B. 581. To amend section 97 of the Code.

Mr. George—

H. B. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

Mr. Knight—

H. B. 583. To prevent the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters, or any other intoxicating drinks, within six miles of the Baptist church at Prarieville, Hale county, Alabama.

The foregoing bills were severally read one time and referred to committees, as follows:

H. B's 579, 580, 578, to judiciary.

H. B's 572, 571, 583, to temperance.

H. B's 570, 473, 575, 576, 579, to revision of laws.

H. B. 568, to counties and county boundaries.

H. B. 581, to fees and salaries.

H. B. 574, to penitentiary and criminal administration.

H. B. 569, to local legislation.

H. B. 582, to corporations.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Stone, from the committee on judiciary, reported favorably to the bills,

With a substitute for—

H. B. 520. To be entitled an act to amend sections 1879, 1880, 1881 and 1882 of the Code.

H. B. 499. To fix the time and place of holding the chancery court in Monroe county, Alabama.

H. B. 459. To amend section 10 of an act entitled an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the City of Selma, and establish a city government therefor.

H. B. 521. To provide the manner of payment of certain fees allowed sheriffs as provided under section 4872 of the Code.

On motion of Mr. Nelson,

H. B. 438. To authorize the filing and recording of certain deeds of conveyance therein named in the office in the probate court of the State,

Was taken from adverse calendar, read a second time and placed on the calendar.

Mr. Stansel, from the committee on revision of the laws, reported favorably to the bills—

s. 131. To protect outstanding crops in Mobile county,  
With an amendment.

H. B. 515. For the relief of Lewis R. Powell of Marshall county.

H. B. 513. To regulate the practice on references before Registers in Chancery.

H. B. 503. To authorize appeals in certain cases *in forma pauperis*.

H. B. 474. To amend section 2 of an act to pay salaries to solicitors instead of fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887,

With an amendment.

H. B. 441. To amend sections one and seven of an act, approved February 22, 1887, to authorize the issue of the State to the amount of nine hundred and fifty-four thousand dollars, for the purpose of paying, taking up and cancelling the bonds of the State, bearing six per cent. per annum, issued under an act approved February 13, 1879, to provide for funding the domestic debt of the State.

H. B. 451. To amend section 1428 of the Code.

H. B. 454. To amend section 3839 of the Code.

H. B. 323. To provide for the registration and lien of judgments of justices of the peace for the payment of money by motion in the circuit court.

H. B. 397. To amend paragraph number fifteen of section 6290 of the Code of Alabama.

H. B. 385. To amend section 3217 of the Code, so far as the same relates to Jefferson county.

H. B. 377. To repeal an act to provide a more efficient remedy in cases of unlawful entry and detainer in the city of Mobile, approved March 3, 1841.

H. B. 450. To amend section 1396 of the Code.

H. B. 478. To empower the court of county commissioners of Talladega county to grant petitions made by two or more persons owning farms adjoining, to build outside fences and gates, near stock law districts, for their mutual protection, in Talladega county.

H. B. 390. To amend section 3075 of the Code.

H. B. 475. To prohibit fraud in the sale of boots and shoes,

By way of a substitute to the bill.

H. B. 345. To amend an act approved February the first, 1872, entitled an act to incorporate the Female Institute of the Tennessee Annual Conference of the Methodist Episcopal Church at Athens, Alabama.

H. B. 242. To define a lawful wire fence in the State of Alabama,



With a substitute.

s. 132. To amend section 749 of the Code.

s. 10. To amend an act to provide for the election of a solicitor for Jefferson county, and define his duties, approved November 27, 1886, and to provide for an assistant solicitor for Jefferson county and define his duties.

s. 9. To amend an act to pay the solicitor of Jefferson county an annual salary by the county, and to require all fees now allowed by law, in the county, city and criminal courts of said county to said solicitor to be paid into the treasury of said county, approved February 28, 1887, and to provide for the pay of an assistant solicitor by the county.

s. 108. To authorize the court of county commissioners of Lauderdale county to issue bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling the said court to erect such iron bridges in said county as said court may deem necessary,

With amendment.

Mr. Lay, from the committee on ways and means, reported favorably to the bills :

H. B. 543. To authorize the auditor to settle with tax collectors for taxes collected and paid in by them for the year 1887 at the rate of commissions allowed by law in force at time of adoption of Code.

H. B. 557. To amend sub-divisions 2, 3, 5, 6 and 7, of section 545 of the Code of 1886.

Mr. Paine called up from an adverse report—

H. B. 35. For the relief of parties whose lands were sold for taxes and purchased by the State prior to the first day of January, 1887;

And it was read a second time and put on the calendar.

Mr. Sowell, from the committee on commerce and common carriers, reported favorably to the bill,

H. B. 467. To repeal an act entitled an act to require all trains on railroads in this State, carrying passengers, to stop at the telegraph station now existing or hereafter established nearest or most accessible, to be determined by the railroad commission, to the county seat of each county through which the railroad, or any part thereof, may pass, for receiving and discharging passengers, approved February 28, 1887.

Mr. Watson, from the committee on local legislation, reported favorably to the bills :

The bill—

H. B. 537. To be entitled an act to amend section 4035 of

the Code of Alabama, so far as the same relates to Lamar county.

The bill—

H. B. 538. To repeal an act for the preservation of game animals and birds in Mobile and other counties named therein, approved February 13th, 1879, so far as the same relates to the county of Bibb.

The bill—

H. B. 542. To amend section two of an act, No. 162, acts of 1882 and 1883, to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

The bill—

H. B. 546. To form a separate school district to be known as Baker school district, in Henry county.

The bill—

H. B. 484. To amend section second of an act entitled an act to amend an act to protect fish in the counties of Madison, Jackson and Marshall.

The bill—

H. B. 524. To repeal an act entitled an act to establish partial stock law districts in Tallapoosa county, so far as the same relates to that part of beat 4, lying east of range six, approved 21, 1887.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bill—

s. 114. To amend section 4864 of the Code.

Mr. Lee, from the committee on temperance, reported favorably to the bill—

s. 56. To amend section two of an act entitled an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous, or malt liquors, or any intoxicating bitters, in beat No. 2, known as Russellville beat in Franklin county.

Mr. Davie, from the committee on public health, reported favorably to the bill—

H. B. 304. To punish the willful communication of certain contagious diseases to other persons,

By way of substitute.

The foregoing bills were severally read a second time and placed on the calendar.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 160. To regulate the lighting of bridges over navigable rivers in this State.

s. 52. To provide for a mechanical and industrial department in the Alabama Institute for the blind.

s. 53. To provide for additional improvements and buildings for the Alabama Academy for the blind, and the furnishing of the same.

And ordered the same forthwith to the house without engrossment.

And passed the following bill:

H. B. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, within three miles of Liberty Coosa Missionary Baptist church, and also Young's Chapel Methodist church, all in Etowah county, Alabama.

H. B. 165. To amend section 1630 of the Code of Alabama of 1876, as to the county of Wilcox, approved February 11, 1887.

H. B. 135. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, nearer the Methodist church, at Rodgersville, Lauderdale county, than the beat line in every direction from said church,

H. B. 71 To amend section 2719 of the Code of Alabama.

H. B. 158. To amend section 2721 of the Code of Alabama.

And has amended as therein shown, and as amended has passed—

H. B. 52. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, in McKinley beat, Marengo county, and Guntersville beat, Marshall county.

W. L. CLAY,  
Secretary.

## SENATE MESSAGES.

The above senate bills, whose titles are set out in the above senate message, were severally read the first time, and referred to committees as follows :

s. 160, to commerce and common carriers.

s. 52, 53, to education.

The house concurred in the senate amendment to H. B. 52, by adding in the title and body of the bill after the words "Marshall county" the words, "and within five miles of the new brick school building in the town of Scottsboro, Jackson county, Alabama."

Yeas 70, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bush Blevins, Brown, Clements, Cochrane, Cornelius, Curtis, Dark, Davie, Denson, Files, Fitzpatrick, Hampton, Hardy, Higgins, Hogue, Hundley, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White, of Geneva—70.

Mr. French voted nay—1.

#### UNFINISHED BUSINESS.

H. B. 110. To repeal section 4193 of the Code, so far as the same relates to the county court of Covington county; also to provide for the transfer of the unfinished business in said county to the circuit court of said county.

The pending question being the adoption of the substitute offered by the committee,

Was taken up.

The substitute was adopted.

The bill was read the third time at length and passed; yeas 76, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Powell, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Wade, Waller, Ward, Watson, Watters,

Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—76.

Nays—Messrs. Pettus and Watson—2.

On motion of Mr. Mancill, the bill was sent to the senate without engrossment.

#### CONFERENCE COMMITTEE REPORT.

Mr. Watters, from a conference committee, made the following report :

*Mr. Speaker:*

Your committee of conference, appointed to confer with a the committee on the part of the senate, with reference to like differences between the two houses on H. B. 167—

A bill to be entitled an act to repeal paragraph thirty-five (35) of section 629 of the Code of Alabama, respectfully report, as follows:

1. Your committee recommend that the house concur in the senate amendment.

Respectfully,

WATTERS,

LAY,

PETTUS,

Com. on part of House.

The report of the committee was concurred in—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bush, Blevins, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Files, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Lee, Lewis, Long, Lowe, Maley, Meador. Posey, Pratt, Rabb, Sowell, Smith, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—52.

The house concurred in the senate amendment to H. B. 167 by adding after "35" in caption and body the words, "and 36"—yeas 65, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Bevis, Bush, Blevins, Brown, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, Hampton, Henderson, Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McLeod, Nelson,

NeSmith, Nisbet, Parker, Pettus, Porter, Posey, Powell, Rabb, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—65.

Nays—Mr. Maddox—1.

Mr. Pettus, from the committee on rules, reported the following rule, which was adopted:

RULE 54. That the afternoon session be given to the consideration of bills on the calendar, and that immediately after roll call the counties shall be called in regular order and each member shall have the privilege of calling up one bill and put it on its passage—call of counties beginning each day where it left off the preceding day. That no bill shall be discussed longer than 10 minutes. If any bill is discussed more than ten minutes, it shall be replaced on the calendar.

Also,

RULE 55. That the house shall meet at 10 a. m., and adjourn at 1:30 p. m.; shall reassemble at 3:30 p. m., and adjourn at 6 p. m.

Mr. Clements moved to substitute 5:30 p. m. as the hour of adjournment.

Lost.

The rule as reported from the committee was adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker;*

The senate has concurred in the report of the committees of conference on the bill—

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon, approved February 26, 1887, so that it shall not apply to resident citizens of Clay county, and Goodwater beat, Coosa county, Alabama, nor to stock belonging to resident citizens of said county and beat.

H. B. 167. To repeal paragraph thirty-five of section 629 of the Code of Alabama.

W. L. CLAY,  
Secretary.



## CONFERENCE REPORT.

Mr. Nelson, from a conference committee, made the following report:

*Mr. Speaker:*

The committee of conference, to which was referred the disagreement of the house and the senate on the senate amendment to house bill 6, "To amend section 4 of an act to prevent stock from running at large in several beats in Tallapoosa and Coosa counties, and to order an election thereon," approved January 26, 1887, has had the same under consideration, and have agreed upon the following report:

Said committee recommend that the senate recede from its amendment.

I. A. J. NELSON,  
A. J. ARRINGTON,  
J. N. DUPREE,  
Of the House.  
JNO. H. PARKER,  
Of the Senate.

The report was concurred in.

On motion of Mr. White of Dallas, house bill 193 was made a special order for Monday next, after reading the journal.

Also, called up,

H. B. 185. To provide for deficiencies in appropriations for public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriations for distributing acts, journals and other public documents for the fiscal year ending September 30, 1888.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Lay, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb,

Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—72.

On motion of Mr. McElderry,

s. 54. To provide for the insuring and repairing upon the property of the State under the management and control of the board of trustees of the Alabama Institute for the deaf, and to make appropriation therefor,

Was taken up

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Hogue, Hundley, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—75.

Mr. Lay moved that house bill 557 be made a special order for to-morrow after reading of the journal.

Carried.

Mr. Winston moved that senate bill 90 be taken from an adverse report and placed on the calendar.

Lost.

Mr. Wiley moved that house bill 340 be made a second special order for to-morrow after reading the journal.

Carried.

Mr. Wiley moved that the senate be requested to return house bill 110.

Carried.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

GOVERNOR'S OFFICE,

December 7, 1888.

*Mr. Speaker:*

The governor on yesterday approved the following bill, which originated in the house:

H. B. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected.

THOS. H. CLARK,  
Recording Secretary.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 134. To provide a new charter for the town of Russellville.

s. 159. For the relief of H. R. Robbins, late sheriff of Coosa county.

s. 158. To amend section 3217 of the Code.

s. 119. To regulate the trial of misdemeanors in Colbert county.

s. 156. For the relief of State witnesses in Clarke county in cases where the State failed.

s. 157. To amend section 17 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved 17th of February, 1885.

s. 155. To amend an act entitled an act to prohibit the sale, giving away or disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors in the counties of Montgomery, and others therein named, approved February 28, 1887, at 11 o'clock and 20 minutes, and known as the Omnibus bill.

s. 152. To amend an act to declare Mary S. Boswell and J. T. Boswell, liners between the counties of Pike and Bullock, citizens of Bullock county, and to change the line between said counties, approved February 22, 1887.

WM. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 119, and 157, to the judiciary.

s. 155, to temperance.

- s. 134, to corporations.
- s. 159, to penitentiary and criminal administration.
- s. 158, to fees and salaries.
- s. 152, to counties and county boundaries.

#### BILLS ON THIRD READING.

H. B. 37. To amend section 2732 of the Code of Alabama, prescribing the time for pleading,

Was taken up, substitute offered by the committee was adopted; the bill was ordered to a third reading, read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bush, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, George, Hampton, Hundley, Knight, Ledyard, Lee, Longshore, Maddox, Maley, Meador, Moseley, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—59.

H. B. 91. To authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water-works, and the payment of the city indebtedness,

Was taken up.

Mr. Wiley moved to table the amendment of the committee, which was, "in section eight, line three, strike out the words "said city of Jasper" and insert in lieu thereof the words, "counties and municipalities in the State of Alabama."

Lost—yeas 37, nays 47.

Yeas—Messrs. Adams, Allen, Benners, Bogart, Bourdeaux, Blevins, Carter, Clark, Curtis, Darby, Dupree, Dykes, French, Higgins, Hogue, Johnson, Kemp, Lee, Long, Longshore, Moseley, McLendon, McLeod, Nelson, NeSmith, Parker, Posey, Powell, Rabb, Simmons, Summers, Watson, Weaver, Webb, Wiley, Winston, White of Geneva—37.

Nays—Messrs. Speaker, Arrington, Bevis, Billingslea, Bush, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Files, Fitzpatrick, George, Hampton, Henderson, Hundley, Knight, Kyle, Lay, Ledyard, Lewis,

Maddox, Maley, Meador, Miller, McElvey, McRee, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Williams, Woolf—48.

The amendment was then adopted.

Mr. Porter moved to amend by striking out "eight per cent.," in line thirteen of section two, and inserting "six per cent" in lieu thereof.

Carried.

The bill was read the third time at length and passed—yeas 47, nays 35.

Yeas—Messrs. Speaker, Arrington, Bevis, Billingslea, Bush, Brown, Clements, Cochrane, Cornelius, Cunningham, Davie, Denson, Files, Fitzpatrick, George, Hampton, Henderson, Hundley, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Meador, Miller, McElderry, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Williams, Winston, White of Geneva—47.

Nays—Messrs. Adams, Allen, Benners, Bogart, Blevins, Bradley, Carter, Clark, Curtis, Darby, Dupree, Dykes, Higgins, Hogue, Johnson, Kemp, Long, Longshore, Moseley, McLendon, McLeod, Nelson, Nesmith, Parker, Posey, Powell, Rabb, Summers, Tatum, Weaver, Webb, Wiley, Winston, White of Geneva—35.

Mr. Pettus moved to reconsider the vote by which the bill passed, and to table that motion. The latter motion prevailed, and the bill was ordered forthwith to the senate.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bill, your signature thereto is requested:

s. 47. An act to amend and ratify the charter of the Selma Land Improvement and Furnace Company.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the above senate message.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate returns at the request of the house—

H. B. 110. To repeal section 4193 of the Code, so far as the same relates to the county court of Covington county.

Also to provide for the transfer of the unfinished business in said court to the circuit court of said county.

W. L. CLAY,  
Secretary.

On motion of Mr. Kemp, the vote by which the bill, whose title is set forth in above senate message, was passed, was reconsidered.

Mr. Wiley moved that the vote by which the bill was ordered to a third reading be reconsidered.

Pending this motion the hour of 1:30 p. m. arrived, and the house stood adjourned till 3:30 p. m., to-day.

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AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

On motion of Mr. Lee, H. B. 163 (Omnibus Prohibition bill), was made a special order for to-morrow after the journal.

Mr. Lowe moved that H. B. 90 be made a continuing special order from to-morrow after reading the journal.

Carried.

BILLS ON THIRD READING.

Under the rules bills were called up, as follows:

By Mr. Davie—

s. 59. To repeal an act to prohibit the sale, etc., of spirituous liquors, etc., in Montgomery county and other places, approved February 20, 1887, so far as the same applies to within three miles of the Methodist Episcopal Church South, in Clayton, Barbour county, and within half a mile of the Catholic Church at Battle's wharf, in Baldwin county.

The amendment of the committee to add to the title and body of the bill, after the words "Baldwin county," the



words "and within the town of Leighton in Lawrence and Colbert counties,"

Was adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 60, nays 16.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Files, Fitzpatrick, French, George, Henderson, Higgins, Hogue, Hundley, King, Knight, Lay, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Miller, Moseley, McLeod, McRee, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Powell, Pratt, Simmons, Sowell, Summers, Stansel, Tatum, Ward, Watson, Watters, Williams, Woolf, White of Dallas—60.

Nays—Messrs. Dupree, Hampton, Johnson, Lee, Maley, Meador, McLendon, Nelson, Patton, Posey, Powell, Rabb, Smisson, Stowers, Wade, Weaver, White of Geneva—16.

By Mr. Shorter—

H. B. 275. To incorporate Irby Female Seminary.

The bill was ordered to a third reading, read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—80.

By Mr. Bush—

H. B. 274. To establish the Belcher School District in Barbour county;

Which was ordered to a third reading, read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins,

Hogue, Johnson, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—80.

By Mr. Adams—

H. B. 371. To amend section three of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 23, 1883.

The bill was read the third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—73.

By Mr. Johnson—

H. B. 398 To repeal the incorporation of the town of Blount Springs, and the town of Broken Arrow in St. Clair county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 72, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Richardson, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, White of Dallas—72.

Nays—Messrs. Bourdeaux and Pettus.

By Mr. Powell—

s. 35. To ratify the consolidation of the Mobile, Hattiesburg and Jackson Railroad Companies of Alabama and Mississippi, under the name of the Mobile, Jackson and Kansas City Railroad Company, and to confer further franchises on said consolidated company.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bourdeaux, Bradley, Brown, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Hogue, King, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Watson, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—59.

By Mr. Stowers—

H. B. 469. To fix the compensation of the tax assessor of Montgomery county,

With amendment.

The amendment to strike out "1st day of January, 1889," and insert "1st day of September, 1888," was adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Curtis, Darby, Dark, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Ward, Watson, Watters, Weaver, Webb, Williams, White of Dallas, White of Geneva—64.

By Mr. King—

H. B. 277 $\frac{1}{2}$ . To prevent horses, mules, asses, cows, hogs, sheep and goats, from running uncontrolled in beat No. 5, in the county of Butler, and to prescribe a rule of damages, and the rules of practice, in the trials of cases under this act.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Curtis, Darby, Dark, Davie, Denson, Dykes, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—63.

By Mr. Williams—

H. B. 103. To change the name of the town of Cross Plains, in the county of Calhoun, to Piedmont, and to establish a charter for the town of Piedmont, in the county of Calhoun.

Mr. Williams moved to amend section three, by striking out " $\frac{3}{4}$ ," and inserting " $\frac{1}{2}$ ."

Adopted.

Also to amend section four, by inserting after "1888" the words, "or as soon thereafter as practicable after giving the required notice."

Adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Dykes, George, Hampton, Henderson, Higgins, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, McElderry, McLendon, McLeod, Nelson, Nesmith, Nisbet, Paine, Patton, Porter, Posey, Powell, Pratt, Ratray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Wiley, Williams, Winston, White of Geneva—62.

By Mr. Maley—

H. B. 229. To amend an act entitled an act to prevent stock from running at large in the several beats of Chambers county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, French, George,

Hampton, Higgins, Johnson, Kemp, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLeod, Nelson, Nesmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Williams, White of Dallas, White of Geneva—67.

By Mr. Denson—

H. B. 447. To prescribe the mode and time of advertising property for sale, levied on under executions issued on the judgments of justices, and notaries public with powers of justices, and attachments issued by such officers, and to fix the place of sale.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 64, nays 1.

Yeas—Messrs. Adams, Allen, Benners, Bevis, Bogart, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson, Dupree, Dykes, Files, George, Hampton, Henderson, Higgins, Hogue, Kemp, Lay, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McLendon, McLeod, Nelson, Nesmith, Nisbet, Paine, Patton, Pitts, Porter, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—64.

Nays—Mr. Bourdeaux—1.

By Mr. Rattray—

H. B. 365. To amend sections one and two of an act entitled an act to amend section 1630 and subdivision two of section 1649 of the Code, and sections one and four of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 14, 1885.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus,



Pitts, Porter, Posey, Pratt, Simmons, Summers, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—73.

By Mr. Dykes—

H. B. 83. To regulate the granting of whisky license in Tallapoosa county.

Mr. Denson moved to amend the title by prefixing the words, "a bill to be entitled."

Adopted.

Mr. Dark moved to amend by adding, "provided that the provisions of this act do not apply to Alexander City."

Carried.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 62, nays 4.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Knight, Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Meador, Miller, McElderry, McLendon, McLeod, Nelson, Nisbet, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Tatum, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, White of Geneva—62.

Nays—Messrs. Clark, Dykes, Long, Moseley—4.

By Mr. Watters—

H. B. 433. To declare void and of no force the sale of land for taxes made by the tax collectors in this State previous to the first day of January, 1881, where such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Hen-



derson, Higgins, Hogue, Johnson, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, Meador, Moseley, McElderry, McElvey, Nelson, NeSmith, Nisbet, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, White of Geneva—64.

By Mr. McLeod—

H. B. 230. For the relief of State witnesses in Clarke county, in cases where the State fails.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 71, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Watson, Watters, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—71.

Nays—Messrs. Johnson, Ward—2.

By Mr. Nelson—

s. 68. To provide for payment into courts of money tendered for redemption of real estate on trials of unlawful detainer suits.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 51, nays 2.

Yeas—Messrs. Adams, Allen, Bogart, Blevins, Brown, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Henderson, Johnson, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, Nelson, Nisbet, Patton, Pitts, Porter, Powell, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, White of Geneva—51.

Nays—Messrs. Denson, Lay—2.

Mr. Walker moved that s. 126 be made a special order, for to-morrow after reading the journal.

Carried.

Mr. Winston moved that 150 copies of H. J. R. 3, be ordered

printed, and that it be made a special order for February 5, 1888, immediately after reading the journal.

Carried.

On motion of Mr. Clements, H. B. 217, was made a special order after reading journal, on Friday, February 1, 1889.

The hour of 6 p. m. having arrived, the house stood adjourned till 10 a. m. to-morrow.

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## TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,

Saturday, December 8, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Roberts of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—95.

The journal of yesterday was read and approved.

### ENGROSSED BILLS.

Mr. Smith, from the committee on engrossed bills, reported the following as correctly engrossed: House bills 398, 37, 230, 469, 365, 88, 229, 433, 371, 241, 274, 275, 329, 91, 103, 447.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following bills properly enrolled:

H. B. 6. To amend section four of an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon, approved February 26, 1887, so that it shall not apply to resident citizens of Clay county, and of Goodwater beat, Coosa county, Alabama, nor to stock belonging to resident citizens of said county and beat.

H. B. 71. To amend section 2719 of the Code of Alabama.

H. B. 158. To amend section 2721 of the Code of Alabama.

H. B. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, within three miles of Liberty Coosa Missionary Baptist church, and also Young's Chapel Methodist church, all in Etowah county, Alabama.

H. B. 52. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, in McKinley beat, Marengo county, and Guntersville beat, Marshall county, and within five miles of the new brick school building in the town of Scottsboro, Jackson county, Alabama.

H. B. 167. To repeal paragraph "35" and "36" of section 629 of the Code of Alabama.

H. B. 279. To authorize the city of Mobile to make and issue bonds to the amount of one hundred and sixty-nine thousand dollars, for the purpose of redeeming and retiring certain bonds of equal amount to become due.

H. B. 165. To repeal an act to amend section 1630 of the Code of Alabama of 1876, as to the county of Wilcox, approved February 11, 1887.

H. B. 135. To prohibit the bartering, selling, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, nearer the Methodist church at Rodgersville, Lauderdale county, than the beat line in every direction from said church.

H. B. 101. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors

within five miles of Village Springs Academy, Blount county, and other places named therein.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report from the committee on enrolled bills.

#### JOINT RESOLUTION.

Mr. Knight offered the following joint resolution :

*Resolved by the house of representatives* (the senate concurring), that the joint committee heretofore raised to investigate the convict system, be and are hereby instructed to investigate the hiring of county convicts, and to ascertain and report whether or not there is, or has been, any pool, combination or arrangement of convict lessees for the purpose of controlling said labor, or affecting the price of the same, and whether or not any State, county or municipal officer has violated the law in respect to the hiring of convicts in any respect whatever."

Adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate, having signed the following bills, your signature thereto is requested :

s. 129. An act to provide for the election of mayor and councilmen of the town of Anniston.

s. 21. An act to incorporate the Guntersville, Fort Payne and Chattooga Valley Railroad Company.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills, whose titles are set out in the above and foregoing senate message.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
OFFICE OF THE GOVERNOR,  
Montgomery, Dec. 8, 1888.

*Mr. Speaker:*

The governor yesterday approved the following bills which originated in the house:

House bills seventy (70), fifty-eight (58), one hundred and fourteen (114), ninety-two (92), one hundred and sixty-eight (168), sixty-two (62), one hundred and fifty-nine (159), ninety-five (95), twenty-one (21), fifty-three (53), fifty-one (51), thirteen (13), one hundred and forty-two (142).

And has to-day approved the following bills which originated in the house:

House bills two (2), and one hundred and seventeen (117).

THOS. H. CLARK,  
Recording Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed,

s. 127. To provide for the assessment of State and county taxes on property within the corporate limits of the city of Huntsville, Alabama.

s. 109. To provide for the settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa to the State of Alabama.

And ordered the last bill to the house without engrossment.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows:

s. 109, to a special committee, composed of Messrs. Stansel, Pratt, Clements, Kyle and Henderson.

s. 127, to local legislation.

## BILL ON THIRD READING.

Mr. Mancill moved to suspend the regular order of business and put

H. B. 110. To repeal section 4193 of the Code of 1886, so far as the same relates to the county of Covington,

On its passage.

Carried.

By unanimous consent, Mr. Wiley withdrew his motion to reconsider the vote by which the bill was ordered to a third reading.

The bill passed—yeas 62, nays 7.

Yeas—Messrs. Speaker, Allen, Arrington, Billingslea, Bush, Blevins, Bradley, Brown, Carter, Clark, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Fitzpatrick, Hardy, Henderson, Higgins, Hogue, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—62.

Nays—Messrs. Davie, Long, Lowe, Rabb, Smith, Watson, Wiley—7.

The bill was ordered to the senate without engrossment.

## RECONSIDERATION.

Mr. Johnson moved that the vote by which

H. B. 398. To repeal the incorporation of the town of Blount Springs, and the town of Broken Arrow, in St. Clair county,

Passed on yesterday, be reconsidered.

Carried.

Mr. Johnson moved that the vote by which the bill was ordered to a third reading be reconsidered.

Carried.

Mr. Johnson offered the following amendment:

In caption and body of the bill, strike out the words "Broken Arrow in St. Clair county."

Adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 79, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown,



Clark, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—79.

Mr. Hundley moved that the regular order of business be suspended that H. B. 520, might be taken up and put on its passage.

Lost.

#### SPECIAL ORDERS.

##### *First.*

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7, of section 454 of the Code of 1886.

Mr. Lay offered the following amendment to the bill :

Amend subdivision 6, by striking out the word "telephone."

Adopted.

Also amend subdivision 5 by inserting after the words "electric lights" the word "telephone."

Adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 76, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—76.

The bill was ordered to the senate without engrossment.

*Second.*

H. B. 543. To authorize the auditor to settle with tax-collectors for taxes collected and paid in by them for the year 1887, at the rate of commissions allowed under the law in force at the time of the adoption of the Code,

Was ordered to a third reading, read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Billingslea, Bogart, Bush, Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

The bill was ordered sent to the senate without engrossment.

*Third.*

H. B. 163. To prohibit the sale, giving away, or disposing of any spirituous or malt liquors, intoxicating beverages or fruits preserved in alcohol or alcoholic liquors, within six miles of any coal mine, or coal mining camp, iron ore mines, or iron ore mining camp, in the counties of Colbert, Franklin, Marion, Winston, Walker, Jefferson, Fayette or Tuscaloosa; *Provided*, that the provisions of this act shall not apply to incorporated towns or cities within the limits of said counties, or either of them.

The pending question being the adoption of the substitute offered by the committee.

The substitute was adopted.

Amendments to the bill were offered as follows:

By Mr. Summers, to strike out the word "Colbert" in the body and title of the bill wherever it occurs.

Adopted.

By Mr. Cochrane: Strike out the word "Tuskaloosa," wherever it occurs in body and title of the bill.

Adopted.

By Mr. Wade: By adding in the caption and body of the bill the words "or within one and one half miles of Bethany Baptist church in Little Will's Valley, Etowah county."

Adopted.

By Mr. Johnson : In the caption and body of the bill strike out the words, "or within three miles of Hopewell Baptist church or Hanceville Baptist church, in Blount county."

Adopted.

By Mr. Cochrane : "Insert in the body and title of the bill the words "or within three miles of Good Hope church, Tuskaloosa county."

Adopted.

By Mr. Shorter : Amend by striking out in the title and body of the bill the following words, "or within the limits of Barbour county, except in incorporated towns having police jurisdiction."

Adopted.

By Mr. Clark : Add to section one the words, "Provided that the provisions of this act shall not apply to the corporate limits of any town or city in Marion county that is now or that may hereafter be incorporated under the laws of this State."

Adopted.

By Mr. Lee : Strike out in the title and body of the bill such clauses as relate to coal or iron camps, or coal mining or iron mining camps."

Adopted.

By Mr. Porter : Strike out in the body and title of the bill, the words, "or within the limits of precinct number seventeen in Jefferson county."

Adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 76, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Hogue, Hundley, Jonson, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smission, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—76.

## FOURTH.

On motion of Mr. Winston,

H. B. 105. To create the 10th judicial circuit of Alabama, composed of the counties of Talladega, Clay, Cleburne, and Calhoun, and to fix the time of holding the courts therein,

Was substituted for the regular special order, H. B. 60.

Mr. Pettus, for the judiciary committee, offered a substitute, which was adopted.

Mr. Denson offered the following amendment :

Add to section four the words, "provided the salary of the solicitor of the tenth judicial circuit shall be only \$1,500.00 per annum, and it shall be the duty of said solicitor to act as assistant solicitor in the criminal court of Jefferson county."

Mr. Winston offered the following amendment to Mr. Denson's amendment :

"Strike out the words '\$1,500.00 per annum,' and insert in lieu the words 'said assistant solicitor shall receive all the fees collected for convictions in the said court.'"

Lost.

Mr. Denson's amendment was then adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas, 73, nays 14.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Beners, Bevis, Billingslea, Bush, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas—73.

Nays—Messrs. Adams, Allen, Bogart, Bourdeaux, Blevins, Bradley, Carter, Clark, Curtis, Higgins, Maley, Nelson, Winston, White of Geneva—14.

Mr. Pettus moved that the vote by which the bill passed be reconsidered ; and then moved to lay that motion on the table.

The latter motion was carried.

The bill was sent to the Senate without engrossment.

On motion of Mr. Pettus, H. B. 60 was made the special order for January 29, 1889, immediately after reading the journal.

Mr. Lowe moved that the regular order of business be suspended, and that H. B. 461 be taken up and put upon its passage.

Lost.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The Senate has originated and passed the bill, s 177. To enable planters, farmers, and crop growers to convey by mortgage unplanted crops, and ordered the same to the house without engrossment,

And has adopted the house joint resolution relating to the investigation of the hiring of county convicts.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The Senate bill just received, whose title is set forth in the above and foregoing message, was read once and referred to the committee as follows :

s. 177, to the judiciary.

The hour of 1:30 p. m. having arrived the house stood adjourned till 3:30 o'clock this afternoon.

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#### AFTERNOON SESSION.

The house re-assembled at 3:30 p. m.

A quorum was present.

#### BILLS ON THIRD READING.

Under the rules the call of the counties was proceeded with, and bills were called up as follows :

By Mr. Allen—

H. B. 179. To give the court of county commissioners of Cleburne county exclusive control of the public printing in said county, and to authorize said court to make all contracts in relation thereto.

Mr. Allen offered the following amendment to the bill :

Add at the end of section one the following :

"Provided it shall be the duty of the county commissioners to accept the lowest bid made by competent and responsible parties."

Adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Porter, Powell, Pratt, Rattray, Simmons, Summers, Stansel, Stone, Tatum, Walker, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—51.

By Mr. Simmons—

H. B. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain lands lying and being in said county.

The bill was ordered to a third reading, read the third time at length and passed—yeas 50, nays 23.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bush, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Fitzpatrick, French, Hampton, Hardy, Higgins, Hundley, Knight, Ledyard, Lee, Long, Maddox, Mancill, Maley, McLeod, Nelson, Nisbet, Patton, Powell, Rabb, Rattray, Russell, Simmons, Smisson, Tatum, Walker, Ward, Watson, Weaver, Webb, Wiley, White of Geneva—50.

Nays—Messrs. Benners, Bradley, Denson, George, Hogue, Kemp, King, Lay, Lewis Longshore, Lowe, Miller, Moseley, McElderry, McLendon, Paine, Parker, Pettus, Porter, Posey, Stansel, Stone, Williams, White of Dallas—23.

By Mr. Summers—

s. 75. To authorize the mayor and aldermen of the city of Tuscumbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of erecting school buildings and furnishing the same, and for draining, grading, macadamizing and improving the streets of said city, and to improvement of the spring in said city.

Mr. Summers moved to amend section four by striking out the word "par" and substituting therefor the words, "for not less than ninety cents on the dollar."



Carried.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 68, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Rattray, Russell, Summers, Stone, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Geneva—68.

Nays—Messrs. McLeod, and Rabb—2.

By Mr. Lee—

H. B. 449. To regulate the trial of misdemeanors in Coneuh county.

The bill was ordered to a third reading, read the third time at length and lost.

Yeas 22, nays 49.

Yeas—Messrs. Adams, Allen, Blevins, Carter, Clements, Curtis, Darby, Fitzpatrick, Kemp, King, Lee, Mancill, Powell, Simmons, Tatum, Wade, Ward, Watson, Weaver, Wiley, Winston, White of Geneva—22.

Nays—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Cunningham, Dark, Davie, Dupree, French, George, Hampton, Hardy, Hundley, Johnson, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McRee, Nisbet, Parker, Patton, Pettus, Porter, Rabb, Rattray, Richardson, Smisson, Smith, Stansel, Stone, Watters, Webb, Williams, White of Dallas—49.

By Mr. Brown—

H. B. 438. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate courts of the State.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 43, nays 41.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Curtis, Dark, Dupree, Fitzpatrick, French, Henderson, Higgins,

Johnson, Kemp, King, Lewis, Long, Longshore, Maley, McElderry, McElvey, McLeod, Nelson, NeSmith, Parker, Porter, Posey, Rabb, Rattray, Summers, Stansel, Stone, Wade, Weaver, Webb, Williams, Winston—43.

Nays—Messrs. Anderson, Benners, Billingslea, Bogart, Carter, Cochrane, Cunningham, Darby, Davie, George, Hampton, Hardy, Hogue, Hundley, Knight, Lay, Ledyard, Lee, Lowe, Mancill, Meador Miller, Moseley, McRee, Nisbet, Patton, Pettus, Powell, Pratt, Simmons, Smisson, Smith, Tatum, Walker, Ward, Watson, Watters, Wiley, Woolf, White of Dallas, White of Geneva—41.

By Mr. Mancill—

H. B. 221. To prohibit the selling or otherwise disposing of vinous, spirituous, or other intoxicating liquors, in any of the precincts in Covington county, unless the same first be submitted to the voters of such precinct, or precincts.

(With amendment) offered by the committee.

The amendment was adopted.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, King, Knight, Ledyard, Lee, Lewis, Long, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Powell, Pratt, Simmons, Smith, Stansel, Stone, Tatum, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

By Mr. Watson—

H. B. 271. To authorize and require the commissioners court of Crenshaw county to dispose of monies arising from fines, forfeitures and convict labor.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 52, nays 1.

Yeas—Messrs. Adams, Allen, Benners, Billingslea, Blevins, Carter, Cunningham, Curtis, Dark, Dupree, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Hundley, King, Knight, Ledyard, Lee, Lewis, Long, Maley, Meador, Moseley, McElderry, McElvey, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Rabb, Rattray, Sim-

mons, Smisson, Smith, Stansel, Stone, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

Nay—Mr. Johnson—1.

By Mr. Higgins—

H. B. 174. To provide for and regulate the pay of State witnesses in Bibb county.

Mr. Higgins moved to amend by inserting "Cullman" after "Bibb," where it occurs in the title and body of the bill.

Carried.

Mr. Adams offered the following amendment :

Sec. 1, after the word "that," insert "one half of all."

Adopted.

The bill was ordered to a third reading, read the third time and passed.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Curtis, Darby, Dark, Dupree, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Miller, Moseley, McDerry, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Pratt, Rattray, Simmons, Summers, Smisson, Smith, Stansel, Stone, Tatum, Walker, Watson, Webb, Winston, White of Dallas, White of Geneva—54.

By Mr. Smisson—

H. B. 153. To amend an act to amend and extend the charter of the Mobile Mutual Insurance Company, approved February 6, 1866, and to change the name of said company ; and to amend an act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved Feb. 4, 1867 ; and to amend an act entitled an act to incorporate the Mobile Insurance Company, approved February 6, 1866, approved August 11, 1868, which last act was approved Feb. 17, 1885.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, French, George, Higgins, Kemp, King, Knight, Lay, Ledyard, Lee, Moley, Moseley, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Posey, Powell, Pratt, Rattray,

Simmons, Smisson, Smith, Stansel, Stone, Tatum, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—55.

By Mr. White of Dallas—

H. B. 459. To amend section 10 of an act entitled an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled The City of Selma, and establish a local government therefor.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Bevis, Billingslea, Bogart, Blevins, Brown, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Fitzpatrick, French, Hampton, Hogue, Hundley, Kemp, King, Ledyard, Lewis, Maley, Meador, Moseley, Nelson, NeSmith, Nesbit, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Summers, Smisson, Smith Stansel, Stone, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—54.

By Mr. Billingslea—

H. B. 171. To regulate the State witnesses fees in Hale county, Alabama, and to provide for the payment of the same.

Mr. Knight moved to amend by striking out "said" before "county," and inserting "Hale" in the body of the bill.

Carried.

Also, moved to amend by striking out section 6.

Carried.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Denson, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lewis, Maddox, Maley, Moseley, McElvey, McLeod, Nelson, NeSmith, Paine, Pettus, Porter, Posey, Powell, Pratt, Smisson, Smith, Stansel, Stone, Stowers, Wade, Watson, Weaver, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—61.

By Mr. Hardy—

s. 126. To establish a new charter for the city of Huntsville.

Mr. Hundley offered the following amendments, which were lost:

Strike out in section 4 the words, "at the first regular meeting of the mayor and board of aldermen, after the election for aldermen held on Tuesday after the first Monday of April, 1889, and every two years thereafter, and after the recently elected aldermen shall have been qualified, it shall be the duty of the board of aldermen to elect, by a *viva voce* vote, a mayor for the city of Huntsville, who shall serve for two years, or until his successor is elected and qualified. The mayor shall be chosen by a majority vote of the aldermen elected and serving as such," and insert between the words "the" and "aldermen" the words "mayor and." Add, after the word "prescribed" in said section, the following: "The mayor must be elected by the qualified electors residing in said city on the first Monday in April, 1889, and every two years thereafter, who shall serve for two years, or until his successor is elected and qualified."

Strike out in section 8 the words "of such aldermen."

The bill was ordered to a third reading, read the third time at length and passed—yeas 56, nays 5.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Lewis, Lowe, Maley, Meador, McElderry, McElvey, McLeod, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Tatum, Walker, Watson, Watters, Weaver, Webb, Wiley, Woolf, White of Geneva—56.

Nays—Messrs. Blevins, Maddox, Moseley, Ratray and Summers—5.

By Mr. Pettus—

H. B. 340. To authorize corporations organized under the general incorporation laws of this State to alter and amend their charters.

Mr. Pettus offered the following amendment:

Amend by striking out the words "three-fourths" in the tenth line from top of first page, and inserting in lieu thereof the words "two-thirds."

Adopted.

Mr. Wiley offered the following amendments:

1. Amend the bill by inserting therein between the words "State" and "to," the words "or which have been chartered by an act of the general assembly prior to the

enactment of the general incorporation laws of this State of 1867."

2. Amend section 1 by inserting therein between the words "State" and "may" these words, "and any corporation which has heretofore been chartered by an act of the general assembly prior to the enactment of the general incorporation laws of this State of 1867."

3. Amend section 2 by inserting therein in the fifth line between the words "incorporation was filed" and "or in the office of," these words, "or, in cases where the charter was granted by an act of the general assembly prior to the enactment of the general incorporation laws of this State of 1867, in the office of the judge of probate of the county wherein such corporation has its principal place of business."

The foregoing amendments were severally adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Higgins, Hogue, Hundley, Johnson, Knight, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McLeod, Nelson, NeSmith, Patton, Pettus, Porter, Posey, Pratt, Rattray, Simmons, Summers, Smith, Stansel, Stone, Tatum, Walker, Watson, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—56.

#### RESOLUTION.

Mr. Wiley offered the following resolution, which was adopted:

*Resolved*, That His Excellency, Thomas Seay, Governor of Alabama, be officially notified by the clerk of this house, that Ed. R. Richardson, representative from Franklin county, has been displaced as a member of this body, and that a vacancy exists in the office of representative from said county, in order that the governor may take such action in the premises as is provided by law.

The hour of 6 p. m. having arrived, the house stood adjourned till to-morrow morning at 10 o'clock.



# TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
Monday, Dec. 10, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Wharton of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

Journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted to Messrs. Wiley and Watters indefinitely; to Mr. Meador for 11th and 12th inst.; to Mr. Kemp for the 12th inst.

## ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 163, 153, 340, 459, 171, 271, 543, 277 and 438.

JOHN V. SMITH,  
Chairman.

## EXPLANATION OF VOTE.

Mr. Hundley obtained leave of the house to have the following spread upon the journal:

*Mr. Speaker:*

I desire to explain my action and vote upon senate bill

No. 126, "a bill to be entitled an act to establish a new charter for the city of Huntsville," and ask that the same may be spread upon the journal. I am opposed to that provision in the bill which requires the mayor to be elected by the board of aldermen, for the following reasons:

1st. I think that to deny the people the right of self-government by expressing themselves at the ballot-box by a direct vote, is subversive of the highest rights of a free people.

2nd. I believe the people of Huntsville are fully capable of governing themselves, and to require the mayor to be elected by the aldermen, is taking this privilege out of the hands of the people, and placing it in the hands of a few.

3d. I believe this provision in the bill is contrary to the wishes of a very large majority of the people I have the honor to represent, and I can see no just cause why their wishes should be ignored, at least until they have had an opportunity of being heard upon the subject.

Holding these views, I offered the amendment to the bill, providing that the mayor should be elected by the vote of the people at the ballot-box, and earnestly urged its adoption. This amendment being defeated by the house, when the bill came up for final passage I voted "aye," as I know that the city of Huntsville is in need of a new charter, and my vote in the negative might be construed as placing me in opposition to the whole charter.

OSCAR R. HUNDLEY.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 68. An act to provide for payment into court of money tendered for redemption of real estate on trial for unlawful detainer suits.

s. 54. An act to provide for the insuring and repairing upon the property of the State, under the management and control of the board of trustees of the Alabama Institute for the Deaf, and to make appropriations therefor.

s. 35. An act to ratify the consolidation of the Mobile, Hattiesburg and Jackson Railroad Companies of Alabama and Mississippi, under the name of the Mobile, Jackson and

Kansas City Railroad Company, and to confer further franchises on the said consolidated companies.

W. L. CLAY,  
Secretary.

#### SIGNING OF SENATE BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been read by the clerk, signed the senate bills, whose titles are set out in the foregoing senate message.

Mr. Darby moved to take up house bill 208, and put it on its passage,

Lost.

House proceeded to consider

#### SPECIAL ORDERS.

##### *First.*

H. B. 193. To complete, furnish and equip the buildings of the Agricultural and Mechanical College.

The committee to whom was referred the above named bill, offered an amendment to the same by striking out \$75,000, and inserting \$65,000 in lieu thereof.

Mr. Winston—

Moved to amend the amendment offered by the committee by striking out \$65,000, and inserting \$50,000.

Carried.

Yeas 53, nays 34.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Dark, Denson, Dupree, Dykes, Files, French, Henderson, Higgins, Hogue, Kemp, Lay, Lee, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Rabb, Ratray, Simmons, Summers, Watson, Watters, Weaver, Winston, Woolf, White of Geneva—53.

Nays—Messrs. Anderson, Benners, Clements, Cochrane, Cornelius, Cunningham, Davie, Fitzpatrick, George, Hampton, Hardy, Hundley, Johnson, Knight, Kyle, Ledyard, Lewis, Meador, Miller, McElderry, McLeod, Nisbet, Pitts, Posey, Sowell, Smisson, Smith, Stansel, Stone, Walker, Ward, Webb, Williams, White of Dallas—34.

Mr. Bogart moved to postpone the further consideration of the bill and amendment until Friday after recess, and make it a special order for that day.

Lost.

The amendment of the committee, as amended, was then adopted, and the bill was read the third time at length and passed—yeas 64, nays 26.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Billingslea, Bush, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Simmons, Smisson, Smith, Stansel, Stone, Walker, Ward, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

Nays—Messrs. Bevis, Bourdeaux, Blevins, Bradley, Clark, Cunningham, Curtis, Dykes, French, Johnson, Kemp, Lee, Long, Mancill, Maley, Nelson, NeSmith, Powell, Rabb, Russell, Sowell, Summers, Watson, Weaver—26.

Mr. White of Dallas moved to reconsider the vote by which house bill 193 passed, and to lay that motion on the table.

The latter motion prevailed.

The bill was sent to the senate without engrossment.

### *Second.*

H. B. 90. To provide for a charter for the city of Jasper in Walker county, Alabama.

The amendments offered by the committee were severally adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Barnett, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Carter, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Smith, Stansel, Stone, Stowers,

Tatum, Wade, Ward, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

On motion of Mr. Lowe, the bill was sent to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate non-concurs in the house amendment to the bill,

s. 59. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, and other places therein named, approved February 28, 1887, so far as the same applies to within three miles of the Methodist Episcopal Church South, in Clayton, Barbour county, and within half a mile of the Catholic Church at Battle's wharf, in Baldwin county.

And asks a committee of conference on same. Committee on part of the senate—Messrs. Cowan, Rice and Bulger.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

On motion, the house acceded to the request of the senate for a committee of conference. Committee on the part of the house—Messrs. Hampton, Davie and NeSmith.

#### CALL OF COUNTIES.

On the call of counties, bills were introduced by,  
Mr. Sowell—

H. B. 584. To amend an act for the preservation of game in Limestone, Cullman and Madison counties, so far as the same relates to the county of Limestone.

Mr. Moseley—

H. B. 586. To amend section 4870 of the Code of 1886, so far as the same relates to Limestone county.

Mr. Bogart (with notice and proof),

H. B. 597. For the relief of W. S. Page of Jackson county.

Mr. Pratt—

H. B. 588. To amend section 11 of an act entitled "an act to provide for the publication and distribution of the Code of Alabama," approved February 21, 1887, so as to require the delivery of the Code of Alabama to notaries public who are ex-officio justices of the peace, in each county.

Mr. Lay—

H. B. 589. To define negligence.

Mr. Pratt—

H. B. 590. To amend an act to incorporate the town of Prattville, approved February 19, 1872;

Also,

H. B. 591. For the protection of land and property against the depredations of live stock in portions of precincts Nos. 1, 2, 3, 4, 5 and 6 in Autauga county.

Mr. Clarke—

H. B. 592. To create a separate school district in Marion and Lamar counties.

Mr. Allen—

H. B. 593. To provide for the working of the public roads in Cleburne county.

Mr. Benners—

H. B. 594. Concerning sites for light houses and other aids to navigation.

Mr. Ward—

H. B. 595. For the relief of A. Sweat of Henry county.

Mr. Denson—

H. B. 596. To extend to the purchaser from, or the assignee of, the mortgagor the same right to redeem that the mortgagor has.

Mr. Denson—

H. B. 597. For the relief of Jno. B. Strozier, late sheriff of Chambers county.

Mr. McElderry—

H. B. 598. To form a separate school district in Talladega county, to be known as Chinnabee school district.

Mr. Bradley, by request—

H. B. 599. To repeal an act entitled an act to authorize and require the county superintendent of education of the counties of Lamar, Fayette, and Marion to pay the teachers of public schools monthly, so far as the same relates to the counties of Lamar and Marion.

Mr. McElderry—

H. B. 600. To form a separate school district in Talladega county, to be known as the Ironton school district.

Mr. Maddox—



H. B. 601. To annul and vacate the incorporation of Broken Arrow, in St. Clair county.

Mr. McRee—

H. B. 602. To settle and determine the damages sustained by the injury to or killing of stock in Lowndes county, by any railroad running in, or through said county.

Mr. Denson, by request—

H. B. 603. To ratify and approve the numbering of the sections of the Code of 1886, as printed.

Mr. Arrington—

H. B. 604. To amend section six (6) of an act entitled an act to authorize the commissioners court, or boards of revenue of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish, or abolish districts in which stock may be prevented from running at large.

Mr. Hogue—

H. B. 605. To repeal an act regulating the sale of seed cotton in Brush creek beat, Perry county.

Mr. Ledyard (with notice and proof)—

H. B. 606. To amend the charter of the Mobile Street Railway company, and to ratify the organization, and to confirm the franchises granted to, and the obligations entered into by, and the contracts made with said company.

Mr. Cochrane—

H. B. 607. To establish the law and equity court of Tuscaloosa.

Mr. Davie—

H. B. 608. To amend section 4038 of the Code.

Also,

H. B. 609. To amend section 1305 of the Code.

Mr. Cornelius—

H. B. 610. To prohibit the sale, or otherwise disposing of alcoholic, vinous or malt liquors, within five miles of any coal, or iron mine, or camp along the S. and B. railroad, in Walker county.

Mr. Dark, by request—

H. B. 611. To prohibit stock from running at large in beat (2) two of Tallapoosa county.

The bills whose titles are set out above, were severally read once, and referred to the following committees:

H. B. 589, 594, 596, 603, 605, 606 and 607, to judiciary.

H. B. 584, 593, 602, 604, and 611, to local legislation.

H. B. 590, 591, to penitentiary and criminal administration.

- H. B. 592, 598 and 600, to education.
- H. B. 588, 595, and 597, to ways and means.
- H. B. 586, and 605 to revision of laws.
- H. B. 608, 610, to temperance.
- H. B. 609, to public health.
- H. B. 601, to corporations.
- H. B. 587, to accounts and claims.
- H. B. 599, to special committee composed of the members from Fayette, Lamar and Marion counties.

#### REPORTS OF STANDING COMMITTEES.

Mr. Hogue, from a special committee, reported favorably to the bill,

H. B. 564. To fix the pay of the superintendent of education of Perry county.

Mr. White, from the committee on appropriations, reported favorably to the bills,

H. B. 554. To make appropriations for the payment of sheriffs for the removal of prisoners for the fiscal year ending September 30th, 1887, the appropriation for said year having been exhausted.

H. B. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State agricultural society.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills,

H. B. 435. To establish a county criminal court for Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

H. B. 497. To establish a chancery district composed of the county of Covington.

H. B. 544. To amend the charter of the city of Montgomery and the various acts amendatory thereof.

s. 119. To regulate the trial of misdemeanors in Colbert county.

H. B. 500. To create the office of county solicitor for the county of Hale, and to provide for the appointment of such county solicitor and to prescribe his powers and duties,

With a substitute.

s. 31. To further define and punish the crime of embezzlement.

s. 43. To amend sections 3, 6, 13 and 7 of an act entitled an act to more effectually secure competent and well quali-

fied jurors in the several counties of this State, approved February 28, 1887.

On motion of Mr. Arrington,

H. B. 414. To provide a less expensive mode for the registration of chattel mortgages,

Was taken from the adverse calendar and read a second time.

On motion of Mr. Files—

H. B. 473. To confer upon the justices of the peace of Fayette county the same jurisdiction, and to require of them the performance of the same duties in regard to misdemeanors as is now exercised by the county court of said county in reference to the trial of misdemeanors, and that they shall receive the same fees therefor,

Was taken from the adverse calendar and read a second time.

Mr. Paine, from the committee on revision of laws, reported favorably to the bills—

s. 140. To require all persons hereafter holding, and now holding claims as State witnesses in any of the courts of DeKalb county against the fine and forfeiture fund, to have them registered; to require the treasurer of DeKalb county to keep a book in which such claims can be registered, and to require the treasurer to make a record of the settlement of such claims.

s. 142. To incorporate the Roanoke Normal College, at Roanoke, Randolph county, Alabama.

H. B. 567. To require the probate judge of Clarke county to prepare and keep in his office a general direct and reversed index of all deeds and mortgages of lands or any estates or interest therein.

With substitute for—

H. B. 482. To require probate judges to provide blank forms of deeds, mortgages and crop liens for use in their respective counties, and record books in conformity therewith, and to regulate the fees to be charged therefor.

H. B. 514. To amend section 3624 of the Code.

H. B. 566. To amend section 3792 of the Code.

H. B. 565. To regulate the trial of bastardy proceedings in Mobile county.

Mr. Fitzpatrick, from the committee on education reported favorably to the bills:

H. B. 522. To create a school district in township 8, range 2, west, in Morgan county, Alabama, to be known as Lawrence Cove School District, and to incorporate the same.

H. B. 496. To repeal an act entitled an act to constitute the town of Blountsville and vicinity in Blount county a separate school district.

H. B. 523. To make Wolf's beat, Morgan county, Ala., a separate school district.

s. 53. To provide for additional improvements and buildings for the Alabama Academy for the blind, and the furnishing of the same.

s. 52. To provide for a mechanical and industrial department in the Alabama Institute for the deaf.

H. B. 512. To amend an act to erect a separate school district in Coffee county, Alabama, and define the boundaries thereof, approved December 11, 1886.

Mr. Sowell, from the committee on commerce and common carriers, reported favorably to the following bill :

H. B. 410. To amend an act to authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads in the same manner as now provided by law for taking private property for railroads and other public uses, approved December 10, 1886, and to allow said street railroad companies to use steam or electric force, or mechanical power, or animals as they may deem expedient.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bills :

H. B. 574. To abolish section 4592 of the Code.

s. 156. For the relief of State witnesses in Clarke county in cases where the State failed.

s. 159. For the relief of H. R. Robbins, late sheriff of Coosa county.

Mr. Clements, from a special committee, reported favorably to the bill,

s. 109. To provide for the settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa to the State of Alabama.

Mr. Lee, from the committee on temperance, reported favorably to the bills :

H. B. 548. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors in all places in Barbour county, except in incorporated towns having police regulations.

H. B. 553. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxica-

ting bitters or beverages within Fairfield beat in Pickens county, Alabama.

H. B. 560. To amend an act entitled an act "to provide for elections in the counties of Talladega and Cleburne, to determine whether or not the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors or intoxicating bitters, in Talladega or Cleburne counties, shall be prohibited," approved February 28, 1887, so that the same shall apply to the county of Etowah.

Under the call of the committee on public health, Mr. Lay called up,

H. B. 200. To amend sections 2 and 11 of an act entitled an act "to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than 1,000 inhabitants in the State of Alabama,"

From an adverse report, and it was read a second time.

Mr. Watson, from the committee on local legislation, reported favorably to the bills:

H. B. 556. To prohibit the driving of logs, timber, or lumber in that part of Choctawhatchee river in this State below the town of Newton, in Dale county.

H. B. 547. To regulate the fine and forfeiture fund of Elmore county.

Mr. Adams called up—

H. B. 437. To prohibit any corporation created and organized under the laws of this State, from purchasing stock of any other company for the purpose of defeating competition or creating a monopoly,

From an adverse report, and it was read a second time.

Mr. Lowe, from the committee on corporations, reported favorably to—

H. B. 295. To amend sections 3 and 4 of an act "to facilitate the giving of bonds required by law, and authorizing certain corporations to become sole security thereon," approved February 28, 1887.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Denson, from a special committee, made the following report:

*Mr. Speaker:*

The joint committee of the two houses appointed to take into consideration the discrepancy which exists in the sectioning of the Code as printed, and as it appears in the original manuscript, have considered the matter and recom-

mend that a bill ratifying and approving the numbering of the sections of the Code of 1886 as printed, be introduced and passed by the general assembly.

N. D. DENSON,  
M. J. PARKER,  
E. J. MANCILL,  
On part of the House.  
THOS. L. BULGER,  
JOHN BURNETT,  
On part of Senate.

Which was referred to the judiciary committee.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills, and ordered the same forthwith to the house without engrossment:

s. 86. For the removal of the State Normal School and University for colored students from Marion, Perry county, to change its name to the State Normal School for colored students, and to provide for the control and maintenance of the same.

s. 185. To change the mode of compensating the judge of probate of Bullock county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 86, to education.

s. 185, to local legislation.

#### RESOLUTION.

Mr. Pettus offered the following resolution:

*Resolved*, That after this day no bills except senate bills on the calendar be considered by the house, until after the recess of the two houses,

Which was referred to the committee on rules.



## BILLS ON THIRD READING.

H. B. 150. To amend paragraph numbered one of section 1525 of the Revised Code of Alabama,

With an amendment from the committee to strike out the word "revised" before the word "code" in the title of the bill,  
Was taken up.

The amendment was adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Hogue, Hundley, Kemp, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, Mosely, McElderry, McLendon, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Williams, Woolf, White of Dallas, White of Geneva—67.

H. B. 176. To authorize the judges of probate to pay over to minors certain funds and to take their receipt for the same,

Was ordered to a third reading, read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, Nelson, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—69.

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous, malt liquors, intoxicating bitters or beverages in Clay county, Ala.,

Was taken up.

Mr. Nelson moved to amend the first section of the bill by striking out the words "the use of wines for sacramental purposes" and insert in lieu the words "their use in family circles, as necessary medicines, nor to the use of wines for sacramental purposes."

Carried.

The bill was ordered to a third reading, read the third time at length and passed—yeas 58, nays 3.

Yeas—Messrs. Speaker, Adams, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Fitzpatrick, George, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, Miller, McElderry, McLendon, McLeod, Nelson, Nisbet, Patton, Pettus, Porter, Posey, Powell, Rabb, Ratray, Simmons, Stansel, Stowers, Tatum, Wade, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—58.

Nays—Messrs. Arrington, Fitzpatrick, Long—3.

The hour of 1:30 p. m. having arrived the house stood adjourned till 3 p. m. to day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Mosely, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Ratray, Russell, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—86.

#### INTRODUCTION OF BILLS.

By consent, bills were introduced by—

Mr. Bourdeaux (by request, with notice and proof)—

H. B. 612. To remove the disability of non-age of Miss Leila O. Crews, of Sumter county.

Mr. Cochrane—

H. B. 613. To provide for the times of holding the circuit courts in the sixth judicial circuit of this State.

The foregoing bills were severally read a first time and referred to committees as follows :

H. B. 613, to the judiciary.

H. B. 612, to local legislation.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills, and ordered the same to the house without engrossment :

s. 198. To remove the guardianship of Corinne E. Rives, F. A. Rives, Lula A. Rives, V. A. Rives, Eloise Rives and Walter Rives from the county of Lowndes to the county of Dallas.

s. 190. To incorporate the Alabama Fuel, Light and Power Manufacturing and Supply Company.

s. 188. To amend section five of an act entitled an act to incorporate the Lomax Fire Engine Company No. 4 of the city of Montgomery, approved Januaay 30, 1871.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 198, to the judiciary.

s. 188 and 190, to corporations.

REPORT OF CONFERENCE COMMITTEE.

MONTGOMERY, Dec. 10, 1888.

*Mr. Speaker :*

The conference committee upon the disagreement of the two houses on the house amendment to senate bill 59, recommend that the house recede from its amendment.

JNO. P. HAMPTON,

JUDSON DAVIE,

W. W. NESMITH,

Com. on part of the House.

J. R. COWAN,

FRANCISCO RICE,

THOS. L. BULGER,

Com. on part of the Senate.

On motion, the report of the conference committee was concurred in.

The house resumed consideration of—

BILLS ON THIRD READING,

And bills were called up as follows :

By Mr. Blevins—

H. B. 28. To provide for the increasing of the capital stock of building and loan associations.

The bill was ordered to a third reading, read the third time at length and passed—yeas 59, nays 6.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Johnson, King, Kyle, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, NeSmith, Nisbet, Paine, Patton, Pitts, Porter, Powell, Pratt, Ratray, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Webb—59.

Nays—Messrs. Denson, Dykes, Hardy, Hundley, Knight and Pettus—6.

On motion the bill was sent to the senate without engrossment.

By Mr. Parker—

s. 114. To amend section 4864 of the Code.

After being discussed for ten minutes the bill, under the rules, was returned to its place on the calendar.

By Mr. Tatum—

s. 84. To authorize the mayor and council of the city of Demopolis to issue bonds of said city for an amount not exceeding \$8,000.00, bearing interest at a rate not exceeding eight per cent. per annum, for the purpose of purchasing school lots, erecting thereon suitable school buildings, and furnishing the same.

The bill was ordered to a third reading, read the third time at length and passed—yeas 84, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, Ne-

Smith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—84.

By Mr. Wade—

H. B. 387. To incorporate the Gadsden female institute in the city of Gadsden, Alabama.

The bill was ordered to a third reading, read the third time at length and passed—yeas 75, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Barnett, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nesmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—75.

By Mr. Files—

H. B. 72. To amend section 134 of the Code.

The pending question being the adoption of the substitute offered by the committee.

After being discussed for ten minutes, under the rule, the bill resumed its place on the calendar.

By Mr. White of Geneva—

H. B. 208. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing school lots in said city and of erecting, adding to and improving school buildings and furnishing the same.

Mr. Carter offered the following amendment:

In section four, line 14, between the words "same" and "for," insert the words, "and city buildings, one or both."

Adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 82, nays 0.

Yeas—Messrs. Speaker, Arrington, Billingslea, Bogart, Buordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Hen-

derson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—82.

By Mr. Rabb—

s. 137. To amend section 749 of the Code.

Mr. Rabb offered the following amendment:

Amend the title of the bill by striking out the word "and," between the words "one and two," in the second line, and insert after the word "two," in the second line of the title the words "three and four," and by adding after paragraph two of the bill the following paragraphs:

"3. In the county of Escambia on the fourth Mondays in March and September, and may continue two weeks."

"4. In the county of Conecuh, on the second Mondays after the fourth Mondays in March and September, and may continue two weeks."

Adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 71, nays 0.

Yeas—Messrs. Speaker, Barnett, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—71.

By Mr. Patton—

H. B. 184. To require the commissioners of roads and revenues of Greene county to give bond.

The bill was ordered to a third reading, read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Barnett, Benners, Billingslea, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Davie, Dupree, Dykes, French, George, Hardy, Henderson,



Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Stnnsel, Stone, Stowers, Tatum, Ward, Watters, Weaver, Webb, Williams, Winston, White of Geneva—66.

By Mr. Knight—

s. 26. To regulate the summoning of witnesses in criminal cases in the circuit court of Hale, Perry, Dallas, Lowndes and Wilcox counties.

The bill was ordered to a third reading, read the third time at length and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Anderson, Barnett, Benners, Bevis, Billingslea, Bogart, Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watters, Weaver, Webb, Williams, White of Geneva—72.

By Mr. Benners—

H. B. 22. To expedite the trial of capital cases in Jefferson county.

The amendments offered by the committee to strike out in section 7 the word "special" after "said," and insert the word "third," and after the word "jury," add the words "to complete the venire hereinbefore provided," and in section 8 strike out the word "seven" after the word "State" and insert the word "five,"

Were adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 75, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Barnett, Benners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley,

McElderry, McElvey, McLendon, McLeod, Nelson, Ne-Smith, Paine, Patton, Pettus, Porter, Powell, Pratt, Rabb, Ratray, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—75.

The bill was sent to the senate without engrossment.

By Mr. Ward—

H. B. 128. To amend section 141 of the Code of 1886,

Was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 47, nays 41.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Bogart, Bush, Brown, Carter, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, George, Henderson, Higgins, Hogue, Johnson, Kemp, King, Lee, Lewis, Mancill, Maley, McElvey, McLendon, Nelson, Ne-Smith, Paine, Parker, Posey, Powell, Rabb, Simmons, Summers, Stowers, Tatum, Ward, Watson, Watters, Winston, Woolf, White of Geneva—47.

Nays—Messrs. Benners, Billingslea, Bourdeaux, Blevins, Bradley, Clark, Clements, Cochrane, Cornelius, Curtis, Davie, Hampton, Hardy, Hundley, Knight, Kyle, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Meador, Miller, Moseley, McElderry, McLeod, Patton, Pettus, Porter, Pratt, Ratray, Sowell, Smisson, Smith, Stansel, Stone, Weaver, Webb, Williams, White of Dallas—41.

The above vote was verified by the clerk.

Mr. Carter moved to reconsider the vote by which the bill passed, and then to lay that motion on the table.

The latter motion prevailed.

Yeas 44, nays 38.

Yeas—Messrs. Allen, Anderson, Arrington, Bogart, Bush, Brown, Carter, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, Higgins, Hogue, Johnson, Kemp, King, Lee, Lewis, Maddox, Mancill, Maley, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Posey, Powell, Rabb, Simmons, Summers, Stowers, Tatum, Ward, Watson, Watters, Winston, Woolf, White of Geneva—44.

Nays—Messrs. Speaker, Benners, Billingslea, Bourdeaux, Blevins, Bradley, Clark, Clements, Cochrane, Cornelius, Curtis, Davie, Hampton, Hardy, Hundley, Knight, Kyle, Lay, Ledyard, Long, Longshore, Lowe, Meador, Miller, Moseley, McElderry, McLeod, Patton, Pettus, Pratt, Ratray, Sowell, Smisson, Smith, Stansel, Stone, Webb, Williams, White of Dallas—38.

The above vote was verified by the clerk.

By Mr. Bogart—

H. B. 236. To amend an act entitled an act to create a separate school district in Jackson county to be known as Pleasant Grove, out of a part of township 5, range 6, east.

The amendments offered by the committee were adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Ben-  
ners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter,  
Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby,  
Dark, Dupree, Dykes, French, George, Hampton, Hender-  
son, Higgins, Hogue, Hundley, Johnson, King, Lay, Lee,  
Lewis, Maddox, Moseley, McElderry, Nelson, NeSmith,  
Paine, Parker, Patton, Posey, Powell, Pratt, Rattray, Sim-  
mons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum,  
Ward, Watson, Weaver, Webb, Williams, White of Ge-  
neva—63.

The hour of 6 p. m. having arrived, the house stood ad-  
journed till to-morrow morning at 10 o'clock.

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## TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
Tuesday, December 11, 1888.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Wharton of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Ar-  
rington, Barnett, Benners, Bevis, Billingslea, Bogart, Bour-  
deaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clem-  
ents, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie,  
Denson, Dupree, Dykes, Files, Fitzpatrick, French, George,  
Hampton, Hardy, Henderson, Higgins, Hogue, Hundley,  
Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis,  
Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador,  
Miller, Moseley, McElderry, McElvey, McLendon, McLeod,  
McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton,  
Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray,  
Russell, Simmons, Sowell, Summers, Smisson, Smith, Stan-  
sel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson,  
Weaver, Webb, Williams, Winston, Woolf, White of Dallas,  
White of Geneva—94.

Journal of yesterday was read and approved.

## RESOLUTION.

Mr. George offered the following resolution, which was adopted:

*Resolved*, That the regular order be suspended and the call of counties continued until the call shall have been completed, and that the same rules that govern the call of the counties in the afternoon shall prevail; Provided, this resolution shall not take effect till after the reading of the journal.

## LEAVE OF ABSENCE

Was granted to Mr. Pratt for the 11th and 12th of December, and to Mr. Curtis indefinitely.

Mr. Arrington moved to suspend the regular order of business, so as to allow standing committees to report.

Lost.

Mr. Cunningham moved to suspend the regular order of business, so as to allow the introduction of bills.

Lost.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed the following bills :

H. B. 360. To prescribe the civil jurisdiction and regulate the practice of civil cases in the city court of Mobile county.

H. B. 181. To establish a sinking fund commission for Selma.

H. B. 131. To amend the charter of the town of Bessemer, and to incorporate the same as the City of Bessemer, and to establish a charter therefor.

H. B. 11. To repeal an act entitled an act to provide for the more efficient working of the public roads in Dallas county.

H. B. 132. To authorize the repayment to certain parties therein named school moneys overpaid by them into the State treasury.

H. B. 139. To regulate the fees of constables in criminal cases in Macon county.

H. B. 170. To establish in township 16 of range 6 east, in Perry county, a district in which stock shall not be allowed to run at large.

H. B. 50. To prohibit the sale or giving away, or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Falkville, Morgan county, Alabama.

And has amended as therein shown, and, as amended, has passed,

H. B. 97. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Bibb, approved February 25, 1887, and to provide for the disposition of certain cases now pending in the county court of Bibb county.

H. B. 446. To fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors in any part of beat No. 8, in Chambers county, Alabama.

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

H. B. 108. To repeal section 1450 of the Code of 1836, so far as the same applies to Cherokee, Chilton and Cleburne counties.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to,

H. B. 97. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Bibb, approved February 25, 1887, and to provide for the disposition of certain cases now pending in the county court of Bibb county ;

Which was to amend the bill by inserting before the word "indictment," in the eleventh line of the bill, the words "affidavit and warrant or."

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Blevins, Brown, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Files, French, Hampton, Henderson, Hogue, Hundley, Knight, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Rattray, Russell, Simmons, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

Also, concurred in senate amendment to

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration ;

Which is to add to section one, "Provided, that the provisions of this act shall apply only to claims accruing after its passage."

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Billingslea, Bogart, Blevins, Brown, Clements, Cunningham, Dark, Davie, Denson, Dupree, Files, Hampton, Higgins, Hogue, Hundley, Johnson, King, Ledyard, Lewis, Lowe, Mancill, Maley, Meador, Moseley, McElderry, McLendon, Nisbet, Paine, Parker, Patton, Porter, Rattary, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

Also, concurred in senate amendments to

H. B. 446. To fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors in any part of beat No. 8, in Chambers county.

First amendment :

Strike out the words "three hundred," where they occur in the bill, and insert the words "four hundred" in lieu thereof ; and strike out the words "one hundred and fifty," where they occur in the bill, and insert in lieu thereof the words "two hundred."

Yeas 55, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Kemp, King, Knight, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Patton, Porter, Posey, Rattray, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Weaver, Williams, Winston, Woolf, White of Geneva—55.

Mr. Files voted no —1.

Second amendment :

Add at end of bill ; "Provided, that the judge of probate shall pay over to the county superintendent of education of Chambers county, for the use of the public schools in the town of LaFayette, three hundred dollars of the amount collected for each retail license, for the use of the State, and



two hundred dollars of the amount collected for each wholesale license, for the use of the State, and the receipt of the said superintendent to the judge of probate, for such amounts, shall be a complete acquittance to said judge for that part of said license.

Yeas 54, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Blevins, Brown, Carter, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, King, Knight, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Paine, Patton, Porter, Posey, Powell, Rattray, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Weaver, Webb, Williams, Winston, White of Geneva—54.

Nay—Mr. Clark—1.

Also, concurred in senate amendments one and two to H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee, Chilton and Cleburne counties;

And non-concurred in senate amendment "three," and asked a committee of conference thereon. Committee on part of the house—Messrs. Rattray, George and Denson.

First senate amendment:

Amend by striking out "Chilton"—yeas 50, nays 5.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Hardy, Kemp, Ledyard, Long, Longshore, Maddox, Maley, McElderry, McElvey, McLendon, McRee, Nisbet, Parker, Patton, Powell, Rattray, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—50.

Nays—Messrs. Denson, Dykes, Files, Hundley, Pettus—5.

Second amendment:

Amend by adding "Wilcox" after "Cleburne"—yeas 52, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Dark, Denson, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Kemp, King, Kyle, Ledyard, Lee, Miller, McElderry, McElvey, McLendon, McRee, Nelson, Parker, Patton, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Williams, Winston—52.

Nays—Mr. Pettus—1.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
December 11, 1888.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills—six (6), fifty-two (52), one hundred and one (101), one hundred and twenty-six (126), one hundred and thirty-five (135), one hundred and sixty-five (165), and one hundred and sixty seven (167).

THOS. H. CLARK,  
Recording Secretary.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit :

Nos. 174, 221, 184, 8, 179 and 128.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills have instructed me to report the following bill properly enrolled :

H. B. 446. An act to fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors in any part of beat number eight in Chambers county, Alabama.

B. M. MILLER,  
Chairman.

## SIGNING OF BILL.

The speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the above report of committee on enrolled bills.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bill, your signature thereto is requested:

s. 75. To authorize the mayor and aldermen of the city of Tuscumbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose of erecting school buildings and furnishing the same, and for draining, grading, macadamizing and improving the streets of said city, and to improvement of the spring in said city.

W. L. CLAY,  
Secretary.

## SIGNING OF BILL.

The speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the above senate message.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 176. To declare a lien on stock in Marengo and Sumter counties in favor of persons feeding or pasturing the same, and to provide for its enforcement.

s. 174. To declare Thos. W. Sprader, a liner between the counties of Chilton and Shelby, a citizen of the county of Chilton, and to change the line between said counties.

184. To repeal an act to amend section 1544 of the Code of Alabama so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1, 1881, so far as said act relates to beat number one of Chilton county.

s. 186. To revoke and nullify the charter of the town of Collegeton, in Talladega county, Alabama,

And recedes from its amendment to the bill,

H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee, Chilton and Cleburne counties.

And passed,

H. B. 105. To create the tenth judicial circuit of the State of Alabama, and to fix the time for holding court therein, and to provide for the appointment and election of a judge and solicitor for said circuit.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The foregoing senate bills, whose titles are set forth in the foregoing senate message, were severally read one time and referred to appropriate committees as follows :

- s. 174, 184, to revision of laws committee.
- s. 176, to the judiciary.
- s. 186, to education.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has concurred in the house amendment to the bill,

s. 75. To authorize the mayor and aldermen of the city of Tuscumbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose of erecting school buildings and furnishing the same, and for draining, grading, macadamizing and improving the streets of said city, and to improvement of the spring in said city.

And has concurred in the report of the conference committee on the bill,

s. 59. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, beverages or drinks or fruits preserved in alcohol or alcoholic liquors in the county of Montgomery, and other places therein named, approved Febroary 28, 1887, so far as the same applies to within three miles of the Methodist Episcopal church, south, in Clayton, Barbour county, and within a mile of the Catholic church at Battle's wharf, in Baldwin county.

W. L. CLAY,  
Secretary.

BILLS ON THIRD READING.

Bills were called up as follows :  
By Mr. French—

H. B. 287. To change the manner of appointing overseers and apportioners of roads in the county of Russell, the provisions of which were extended to Jackson county, approved January, 1858, and the act amendatory thereto, approved January 23d, 1860, entitled an act to repeal and amend the road law in Jackson county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Barnett, Bevis, Bogart, Bush, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, French, Henderson, Hogue, Knight, Ledyard, Lee, Lewis, Longshore, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Sowell, Smisson, Smith, Stansel, Stone, Tatum, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—55.

By Mr. Porter—

H. B. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding two hundred thousand dollars, for the purpose of completing the court house, and for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail of said county.

The amendment offered by the committee,

To strike out section 7 of the bill,

Was adopted.

The bill was ordered to a third reading, read the third time at length and passed—yeas 38, nays 21.

Yeas—Messrs. Anderson, Arrington, Barnett, Billingslea, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dykes, Fitzpatrick, Henderson, King, Ledyard, Lowe, Maddox, Maley, Meador, Miller, McLendon, McRee, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Weaver, Williams, Woolf, White of Dallas—38.

Nays—Messrs. Adams, Bogart, Blevins, Clark, Dupree, French, Higgins, Hogue, Longshore, Maley, Moseley, McLeod, Nelson, NeSmith, Posey, Powell, Russell, Summers, Watson, Weaver, Winston, White of Geneva—21.

By Mr. Lowe—

H. B. 461. For the relief of W. J. Mims, late tax-collector of Jefferson county, Alabama.

The bill was ordered to a third reading, read the third time and passed—yeas 68, nays 1.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hogue, Kemp, King, Knight, Kyle, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, Nelson, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—68.

Nay—Mr. Johnson—1.

By Mr. Patton—

s. 53. To provide for additional improvements and buildings for the Alabama Academy for the blind, and the furnishing of the same.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 64, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Billingslea, Bogart, Bush, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, French, George, Henderson, Higgins, Hogue, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—64.

Nays—Messrs. Clark, McLeod and Parker—3.

Mr. McElderry moved to reconsider the vote just taken, and to lay that motion upon the table.

The latter motion prevailed.

By Mr. Bradley—

H. B. 341. To incorporate the town of Millport in Lamar county.

Mr. Bradley moved to amend as follows:

Amend section one, "after the word north of the" of the Georgia Pacific railroad depot or station house, as now located in said town, one-fourth of a mile; south of said depot, one-half mile; east of said depot, one-half mile, and west of said depot, three-fourths of a mile.



Adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Posey, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

By Mr. Cunningham—

s. 108. To authorize the court of county commissioners of Lauderdale county to issue bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling the said court to erect such iron bridges in said county as said court may deem necessary.

Mr. Cunningham moved to strike out section five, which motion prevailed, and the bill was then read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Davie, Denson, Dykes, Files, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Powell, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Watson, Weaver, Webb, Williams, Winston, White of Geneva—67.

By Mr. Bevis—

s. 120. To authorize and require the commissioners court of Marion county to make an order for the relief of J. P. Ford, late tax assessor of Marion county.

Mr. Clark offered the following amendment, which was lost.

Amend section one by striking out three-fourths and add one-fourth of the regular commission.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 50, nays 16.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners,

Billingslea, Bourdeaux, Bush, Brown, Clark, Cochrane, Cornelius, Cunningham, Darby, Davie, Denson, Dupree, Hampton, Hardy, Hundley, King, Lay, Ledyard, Lee, Lewis, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Sowell, Stansel, Stone, Stowers, Tatum, Ward, Watson, Woolf, White of Geneva—50.

Nays—Messrs. Blevins, Clark, Dark, Dykes, Files, Higgins, Johnson, NeSmith, Paine, Rattray, Simmons, Summers, Weaver, Webb, Williams, Winston—16.

Mr. NeSmith moved that—

H. B. 465. To allow persons over the age of twenty-one years to practice law in the courts of justices of the peace and notaries public in the county of Lawrence,

Be taken from an adverse report and placed on the calendar.

Lost.

By Mr. NeSmith—

s. 119. To regulate the trial of misdemeanors in Colbert county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Benners, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meadow, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Parker, Pettus, Porter, Powell, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—65.

Also,

H. B. 283. To repeal an act entitled an act, entitled an act for the preservation of game in Limestone, Cullman and Madison counties, so far as the same relates to the county of Cullman.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Mos-

ley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Porter, Powell, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—67.

By Mr. Kyle—

s. 109. To provide for the settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa to the State of Alabama.

Mr. Pettus moved that this bill be made a special order for Wednesday, January 30, 1889, after reading journal.

Carried.

By Mr. McElvey—

s. 1. To amend section 714 of the Code of 1886.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 71, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Higgins, Hogue, Hundley Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Powell, Rabb, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—71.

By Mr. Sowell—

H. B. 137. To establish a separate school district to be known as Union District, in Limestone county.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 68, nays 0.

Yeas—Messrs. Speaker, Barnett, Benners, Bevis, Bogart, Bush, Blevins, Carter, Clark, Cochrane, Cornelius, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Higgins, Hogue, Hundley, Kemp, King, Knight, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, McRee, NeSmith, Nisbet, Patton, Porter, Rabb, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Watson, Weaver, Williams, Winston, White of Geneva—68.

By Mr. Moseley—

H. B. 345. To amend an act, approved February 1st, 1872, entitled an act to incorporate the Female Institute of the Tennessee Annual Conference of the Methodist Episcopal Church at Athens, Alabama.

The substitute offered by the committee was adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Watson, Weaver, Webb, Williams, Winston, White of Geneva—64.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m., to-day.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.

Present—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, McElderry, McLendon, McRee, Nelson, Nesmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—76.

The call of counties was proceeded with and bills were called for passage.

By Mr. McRee—

s. 39. To amend section 3 and to repeal section 5 of an act to regulate the fine and forfeiture fund of Lowndes

county, and the disposal of moneys arising from fines, forfeitures and convict labor, approved February 7, 1885.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 76, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Barnett, Benners, Bevis, Billingslea, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Miller, McElvey, McLendon, McRee, Nelson Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—76.

By Mr. Russell—

s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office.

Mr. McRee moved to amend by striking out "four hundred," where it occurs, and substituting "three hundred."

Carried.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 66, nays 1.

Yeas—Messrs. Speaker, Allen, Barnett, Benners, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, King, Knight, Lay, Ledyard, Lewis, Maddox, Maley, McElvey, McLendon, McRee, Ne-Smith, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—66.

Nays—Mr. Watson—1.

By Mr. Paine—

H. B. 290. For the preservation of game animals, birds and fish in Macon county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bourdeaux, Bush, Blevins, Brown, Clark, Clements,



Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, King, Knight, Kyle, Lay, Ledyard, Lewis, Mancill, Maley, Meador, Miller, McElvey, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Pettus, Posey, Rattray, Smisson, Sowell, Stansel, Stone, Stowers, Tatum, Walker, Ward, Weaver, Webb, Williams, White of Geneva—59.

By Mr. Hampton—

H. B. 311. To provide for the working, keeping up, repairing and improving the public roads in Madison county, and to create a board in said county to have general supervision of all public roads therein, for the working of which money is paid out of the county treasury.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Hampton, Higgins, Hogue, Hundley, King, Knight, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Meador, Miller, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Dallas—60.

By Mr. Walker—

H. B. 321. To amend an act entitled an act, granting the right-of-way to the Nashville and Chattanooga Railroad through Jackson county, and the privilege of constructing a bridge across the Tennessee river, approved January 21, 1850.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Allen, Arrington, Barnett, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, George, Hampton, Hardy, Higgins, Hogue, Hundley, Knight, Kyle, Ledyard, Lewis, Long, Maley, McElvey, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—59.

By Mr. Meador—

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the



counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

This bill having consumed ten minutes in discussion, was returned to its place on the calendar.

By Mr. Hundley—

H. B. 520. To amend sections 2877, 2878, 2879 and 2880 of the Code.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 63, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Billingslea, Bogart, Bush, Blevins, Brown, Clark, Cornelius, Darby, Dark, Dupree, Dykes, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, King, Lay, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

Nays—Benners, Carter, Clements—3.

By Mr. Woolf—

s. 91. To amend section 19 and 23 of an act approved on the 28th day of March, 1873, and entitled an act to establish a new charter for the city of Demopolis.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Billingslea, Bogart, Bush, Blevins, Brown, Clark, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, King, Lay, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

By Mr. Clark—

H. B. 195. To repeal an act entitled an act "to authorize the tax collector of Marion county to collect the unpaid taxes for the years 1880, 1881, 1882, 1883, and to pay the same to J. R. Hughes, late tax collector of said county, for the purpose of reimbursing the said J. R. Hughes for money paid to State and county on account of said taxes," approved February 28, 1887.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 29, nays 25.

Yeas—Messrs. Anderson, Bradley, Carter, Clark, Clements, Cornelius, Darby, Dark, Dykes, Files, French, Henderson, Higgins, Hogue, Maley, McLendon, NeSmith, Patton, Rabb, Rattray, Simmons, Summers, Tatum, Watson, Weaver, Webb, Winston, White of Geneva—29.

Nays—Messrs. Speaker, Barnett, Benners, Denson, Dupree, Fitzpatrick, George, Hardy, Hundley, Lay, Ledyard, Lowe, Maddox, Meador, Miller, McLendon, Nisbet, Parker, Pettus, Porter, Posey, Powell, Russell, Smith, Stowers, Walker, White of Dallas—25.

On motion, the bill was sent to the senate without engrossment.

By Mr. Winston—

H. B. 196. To provide for furnishing tools to work the public roads in Marshall county by the court of county commissioners of said county, and to provide for the safe keeping of said tools.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bogart, Bourdeaux, Bush, Brown, Carter, Cornelius, Darby, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Higgins, Hogue, Hundley, King, Knight, Lay, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Miller, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—65.

By Mr. Lay—

H. B. 556. To prohibit the driving of logs, timber or lumber in that part of Choctawhatchee River in this State below the town of Newton, in Dale county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Barnett, Benners, Bevis, Billingslea, Bourdeaux, Bush, Bradley, Brown, Carter, Clark, Cornelius, Darby, Dark, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, King, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Simmons,

Summers, Smisson, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Woolf, White of Dallas, White of Geneva—74.

By Mr. Anderson—

H. B. 313. To require the Louisville & Nashville Railroad Company to build a fence on a part of its track in Mobile county ;

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 53, nays 26.

Yeas—Messrs. Speaker, Adams, Anderson, Barnett, Bogart, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Darby, Dark, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, King, Knight, Lay, Ledyard, Lewis, Longshore, Mancill, Maley, Meador, Miller, McLendon, McRee, Nelson, Ne-Smith, Nisbet, Posey, Powell, Russell, Simmons, Summers, Smisson, Smith, Stone, Stowers, Tatum, Walker, Ward, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

Nays—Messrs. Benners, Bevis, Billingslea, Bourdeaux, Clements, Cochran, Denson, Hogue, Hundley, Johnson, Lee, Lowe, Maddox, Moseley, McElderry, McElvey, McLeod, Parker, Patton, Pettus, Pitts, Porter, Rabb, Stansel Watson, Weaver—26.

Mr. Winston moved to reconsider the vote by which the bill was passed, and moved to table the motion to reconsider.

The latter motion prevailed.

#### JOINT RESOLUTION.

Mr. Clements offered the following joint resolution, which was adopted :

*Resolved by the house* (the senate concurring), That the joint special committee to investigate the convict system, be and they are hereby instructed to investigate the penitentiary ; examine into its condition and surrounding property belonging to the penitentiary ; examine as to the number of convicts within the walls, their condition, what therein confined ; by what authority they are within the walls ; how many of them are able-bodied ; how many are not able to perform hard labor ; what employment they are engaged in, if any, and how many are able to do hard labor ; and report to this house, with such other information about the penitentiary as they may deem of importance.

## ENROLLED BILLS.

The committee on enrolled bills direct me to report the following bill correctly enrolled:

H. B. 105. An act to create the tenth judicial circuit of the State of Alabama, and to fix the time for holding court therein, and to provide for the appointment and election of a judge and solicitor for said circuit.

B. M. MILLER,  
Chairman.

The Speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill, whose title is set out in the foregoing report of committee on enrolled bills.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed the following bills:

H. B. 103. To change the name of the town of Cross Plains, in the county of Calhoun, to Piedmont, and to establish a charter for the town of Piedmont, in the county of Calhoun.

H. B. 262. To define and mark the line between the counties of Russell and Lee through Marshall's Reserve.

W. L. CLAY,  
Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate non-concurs in the house amendments to the bill,

s. 137. To amend section 749 of the Code,

And asks a committee of conference thereon. Committee on the part of the Senate—Messrs. Parks, Stallworth and Williams.

WM. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house acceded to the senate's request for a confer-

ence committee on s. 137. Committee on part of the house—Messrs. Rabb, Watters and Lee.

The hour of 6 p. m. having arrived, the house stood adjourned till to-morrow morning at 10 o'clock.

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## TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
Wednesday, December 12, 1888.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Wharton of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—92.

## BILL ON THIRD READING.

Mr. Clements moved to take up for passage

s. 116. To regulate the summoning of the superintendent of the Alabama Insane Hospital as a witness in certain cases, and to authorize the taking of his testimony by deposition.

Carried.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie,

Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas—70.

Mr. Clements moved to reconsider the vote by which the bill was passed, and moved to lay that motion on the table.

Which latter motion prevailed.

And the bill, on motion, was sent forthwith to the senate.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The Senate has amended, as therein shown, and as amended, has passed the bill,

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools.

And has passed the bill—

H. B. 185. To provide for deficiencies in appropriations for public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriation for distributing acts, journals and other public documents for the fiscal year ending September 30, 1888, and to make appropriations to cover such deficiencies.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

Mr. Clements moved to concur in the first senate amendment to H. B. 232, which is, to strike out sub-division 35 of the bill.

Carried.

Yeas 53, nays 37.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, French, Henderson, Higgins, Johnson,



King, Lee, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, Nelson, Paine, Parker, Pitts, Porter, Rabb, Rattray, Tatum, Wade, Walker, Weaver, Webb, Williams, Winston, White of Geneva—53.

Nays—Messrs. Speaker, Barnett, Benners, Bush, Cochrane, Davie, Fitzpatrick, George, Hampton, Hardy, Hogue, Knight, Kyle, Lay, Ledyard, Lewis, Meadow, Miller, McLendon, McLeod, McRee, Nisbet, Patton, Pettus, Posey, Powell, Russell, Smisson, Smith, Stansel, Stone, Stowers, Ward, Watson, Woolf, White of Dallas—37.

Mr. Rabb moved to non-concur in the second and third senate amendments to H. B. 232, which are—

Second amendment :

Strike out sub-division numbered 38, and insert the following in lieu thereof :

38th. For the support of the public schools and normal schools, two hundred and fifty thousand dollars for each year, and one hundred thousand dollars additional for each year, for the two years ending 30th September, 1890, and 30th September, 1891 ; Provided, that the amounts apportioned to normal schools shall be taken exclusively from the money which may be apportioned to each race for which normal schools have been established.

Third amendment :

Strike out sub-division numbered 44.

Carried.

Mr. Lay moved that house bill 421 be made a special order for January 31, 1889, after reading the journal.

Carried.

Mr. Dupree moved to take up house bill 160, and place it on its passage.

Lost.

#### BILLS ON THIRD READING.

On the call of the counties for the passage of bills, under the rules, bills were called up—

By Mr. Ledyard—

H. B. 200. To amend sections two and eleven of an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

Mr. Lay offered the following amendment, which was adopted :

Amend by striking out 900 where it occurs in the bill and inserting "800."

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 57, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Clark, Clements, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Hundley, Knight, Kyle, Ledyard, Lee, Lewis, Maley, Meador, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Pitts, Porter, Posey, Rattray, Russell, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—57.

Mr. Denson voted no—1.

By Mr. Lewis—

H. B. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

On motion of Mr. Lay the bill was made a special order for February 8, after reading the journal.

By Mr. Paine (for Mr. Kemp)—

H. B. 499. To fix the time and place of holding the chancery court in Monroe county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Barnett, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, King, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Weaver, Webb, Woolf, White of Dallas, White of Geneva—63.

By Mr. Fitzpatrick—

H. B. 410. To amend an act to authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads in the same manner as now provided by law for taking private property for railroads and other public uses, approved December 10, 1886, and to allow said street railroad companies to use steam or electric power, or animals, as they may deem expedient.

The substitute offered by the committee was adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 68, nays 1.

Yeas—Messrs. Allen, Arrington, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Rat-tray, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Woolf, White of Dallas, White of Geneva—68.

Nays—Mr. Winston—1.

By Mr. Barnett—

H. B. 322. To prohibit hunting or trapping of game or fish on lands of another in beats 1, 2, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Montgomery county without the permission of the owner of the land or his or her agent.

The amendments offered by the committee, to-wit :

1. Amend by including beats 3 and 4 in caption and body of bill ;

(2) Also,

Amend by adding at the end of section 1 the following :  
“or of the executor, administrator or guardian in charge of their agent ; Provided, that the provisions of this bill shall not apply to fishing in or hunting upon the Alabama river,”

Were adopted.

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, French, George, Hardy, Henderson, Hogue, Hundley, Kyle, Lay, Ledyard, Lee, Lowe, Maddox, Maley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Walker, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—61.

By Mr. McLendon—

H. B. 325. To prevent persons from hunting with gun or

dog upon the land of another without first obtaining the consent of said owner or his agent of said land.

Mr. McRee offered the following amendment, which was adopted :

"Provided, That no prosecution shall be had under this act except by the owner of such land or his lawful agent."

The bill was ordered to a third reading forthwith, read the third time at length and passed.

Yeas 50, nays 7.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hogue, Knight, Kyle, Ledyard, Maddox, Maley, McLendon, McRee, Nisbet, Parker, Patton, Pitts, Porter, Powell, Simmons, Stansel, Stone, Tatum, Wade, Ward, Watson, Weaver, Webb, Woolf, White of Geneva—50.

Nays—Messrs. Hardy, Hundley, Long, Lowe, Miller, McElderry and Pettus—7.

#### CALL OF COUNTIES.

On the call of counties the following bills were introduced:

By Mr. Cunningham—

H. B. 614. To create a new charter for the city of Florence.

By Mr. Webb—

H. B. 615. To punish the wilful disturbance of females.

By Mr. White of Dallas—

H. B. 616. To allow justices of the peace in beats 8 and 16 in Dallas county to hold their courts in either of said beats.

By Mr. Higgins (with petition)—

H. B. 617. To change the boundary line between Blount and Cullman counties, approved February 23, 1887.

By Mr. Winston—

H. B. 618. To amend section 1005 of the Code.

By Mr. Allen—

H. B. 619. For the relief of W. A. Stephens, sheriff of Cleburne county.

By Mr. Fitzpatrick—

H. B. 620. To constitute the city of Montgomery a separate school district.

By Mr. Watson—

H. B. 621. To regulate the granting of licenses to sell spirituous or vinous liquors within four miles of Friendship Baptist church, in beat 11 in Crenshaw county.

By Mr. McElderry—

H. B. 622. To incorporate the city of Jenifer.

By Mr. Rattray—

H. B. 623. To provide for an election in the county of Cherokee to determine whether or not the sale of spirituous, vinous or malt liquors in Cherokee county shall be allowed.

The house bills above mentioned were severally read once and referred to committees as follows :

614 and 622, to corporations.

615 and 616, to judiciary.

617, to local legislation.

618 and 620, to education.

619, to accounts and claims.

621, to temperance.

623, to revision of laws.

#### SENATE MESSAGE.

*Mr. Speaker :*

The senate concurred in the house amendment to the bill—

s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office ;

Also in the house amendment, by way of substitute—

s. 53. To provide for additional improvements and buildings for the Alabama Academy for the blind, and the furnishing of the same ;

And insists upon its amendments to the bill—

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools ;

And asks for a committee of conference therein.

Committee on the part of the senate : Messrs. Brewer, Clanton and Handley ;

And has passed—

H. B. 340. To authorize corporations organized under the general incorporation laws of the State, or which have been chartered by an act of the general assembly prior to the

enactment of the general incorporation laws of the State of 1867, to alter and amend their charter;

H. B. 90. To provide for a charter for the city of Jasper in Walker county, Alabama;

And has amended as therein shown, and as amended has passed—

H. B. 163. To prohibit the sale, giving away, bartering, exchanging, or otherwise disposing of alcoholic, vinous, or malt liquors, or intoxicating bitters, beverages, or fruits preserved in alcoholic liquors, within one and a half miles of Pleasant Hill Baptist church in Cox's beat, and Bethany Baptist church in Little Wills Valley, Etowah county, or within three miles of Cumberland Presbyterian and Methodist churches at Maysville in Madison county, or within three miles of Good Hope church in Tuscaloosa county, or within three miles of Shady Grove church, in Pickens county, or in beat No. eight in Walker county; or within four miles of Cove Creek Cumberland Presbyterian church in Etowah county; or within two miles of State Line church in Limestone county, or within two miles of the town of Kingsly in Henry county; or within three miles of the Baptist and Methodist churches in the town of Daviston in Tallapoosa county; or within four miles of the church and Masonic Hall at Fernbank, on the Georgia Pacific railroad, in Lamar county; or within two miles and a half of Baker's church, in Barbour county; or within three miles of Pea River Presbyterian church, in Barbour county; or within five miles of Union Chapel church, in Walker county; or within two miles of Emen's Methodist church, in Crenshaw county; or within five miles of Wheeler's Chapel church and Camp Ground church, in Marion county; or within two miles of Bethel Baptist church, in Barbour county; or within six miles of Stockton church, in Baldwin county; or within four miles of Allen's Factory church, in Marion County; or within five miles of Corinth church, in Marion county; or within five miles of Williamsburgh Baptist church, in Jefferson county; or within three miles of the Methodist church at Delma, in Winston county on the north, east and south, and to the Marion county line on the west; or within three miles of Mount Zion church at Nauvoo Station, in Winston county; or within four and a half miles of Oak Grove church, in Shelby county; or within five miles of Zion church, in Walker county.

W. L. CLAY,  
Secretary.



## SENATE MESSAGE.

The house acceded to the senate's request for a committee of conference on the disagreement of the two houses to senate amendments two and three to house bill 232, and appointed a committee of conference.

Committee on part of the house :

Messrs. Rabb, Cunningham and Pettus.

The house concurred in senate amendment to house bill 163, which is :

Amend caption and bill by striking out wherever they occur the words : "Within five miles of Wheeler's Chapel church and Camp Ground church in Marion county, or within four miles of Allen's Factory church in Marion county, or within five miles of Corinth church in Marion county," and also the words : "Provided, that the provisions of this act shall not apply to the corporate limits of any town or city in Marion county that is now incorporated or may hereafter be incorporated under the laws of this State."

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clements, Darby, Dark, Denson, Dupree, Files, French, Hampton, Henderson, Hogue, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Powell, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Woolf, White of Geneva—54.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. Speaker :*

Your committee of conference as to the difference of the two houses on the bill, house bill 232, respectfully recommend as follows :

1. That the house concur in senate amendment number 3.
2. And recommend the following substitute for the senate amendment number 2 to house bill 232, to-wit : 38th. For the support of the public schools—two hundred and fifty thousand dollars for each year, and one hundred thousand dollars additional for each year for the two years ending 30th of Septem-

ber, 1890, and 30th of September, 1891, in all seven hundred thousand dollars.

M. A. RABB,  
J. M. CUNNINGHAM,  
F. L. PETTUS,  
Com. on part of House.  
W. BREWER,  
W. A. HANDLEY,  
J. CLANTON,  
Com. on part of Senate.

The conference committee's report was concurred in—yeas 74, nays 6.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bogart, Buordeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Ratray, Simmons, Smisson, Smith, Stansel, Stone, Tatum, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—74.

Nays—Messrs. Speaker, Johnson, NeSmith, Summers, Watson, Winston—6.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
December 12, 1888.

*Mr. Speaker:*

I am directed by His Excellency, the Governor, to communicate to the house a message in writing, with the accompanying documents.

J. K. JACKSON,  
Private Secretary.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
December 12, 1888.

*Gentlemen of the Senate and House of Representatives:*

I herewith transmit the biennial report of the board of trus-

tees of the University of Alabama for the period ending June 15, 1888.

THOS. SEAY,  
Governor.

The report of the trustees of the University was ordered to lie upon the table for future action.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
December 12, 1888.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills seventy-one (71), one hundred and fifty-eight (158), two hundred and seventy-seven (277), and one hundred and five (105).

THOS. H. CLARK,  
Recording Secretary.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following bills properly enrolled :

H. B. 262. An act to define and mark the line between the counties of Russell and Lee through Marshall's reserve.

H. B. 193. An act to complete, furnish and equip the buildings of the Agricultural and Mechanical College.

B. M. MILLER,  
Chairman.

SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the above report of enrolled bills.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 12, 1888.

*Mr. Speaker :*

The senate has adopted the joint resolution herewith sent

relating to printing report of the trustees of the State University, and concurred in the joint resolution relating to the convict system reported by the joint committee on the subject.

And has passed—

H. B. 274. To establish the Belcher school district in Barbour county.

Also,

H. B. 193. To complete, furnish and equip the buildings of the Agricultural and Mechanical College.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the resolution referred to above.

*Resolved* (the house concurring), That there be printed 500 copies of the report of the trustees of the State University—300 copies for the use of the General Assembly and 200 for the use of the State University.

#### REPORT FROM COMMITTEE ON ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following properly enrolled:

H. B. 181. To establish a sinking fund commission for Selma.

H. B. 50. To prohibit the sale, or giving away, or otherwise disposing of spirituous, vinous, or malt liquors, within three miles of Falkville, Morgan county, Alabama.

H. B. 11. To repeal an act entitled "an act to provide for the more efficient working of the public roads in Dallas county."

H. B. 139. To regulate the fees of constables in criminal cases in Macon county.

H. B. 275. To incorporate Irby Female Seminary.

H. B. 132. To authorize the repayment to certain parties therein named, school moneys overpaid by them into the State treasury.

H. B. 170. To establish in township 16 of range 6, east, in Perry county, a district in which stock shall not be allowed to run at large.

H. B. 131. To amend the charter of the town of Bessemer and to incorporate the same as the City of Bessemer, and to establish a charter therefor.

H. B. 360. An act to prescribe the civil jurisdiction and regulate the practice in civil cases in the city court of Mobile county.

H. B. 103. An act to change the name of the town of Cross Plains, in the county of Calhoun, to Piedmont, and to establish a charter for the town of Piedmont in the county of Calhoun.

H. B. 185. To provide for deficiencies in appropriations for public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriations for distributing acts, journals and other public documents for the fiscal year ending September 30, 1888, and to make appropriations to cover such deficiencies.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the above report on enrolled bills.

#### REPORT FROM STANDING COMMITTEES.

By leave,  
Mr. Files, from a special committee, reported favorably to—

H. B. 599. To repeal an act entitled an act to authorize and require the county superintendent of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly, so far as the same relates to the counties of Lamar and Marion.

And the bill was read the second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed—

H. B. 91. To authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water-works, and the payment of the city's indebtedness.

H. B. 277. To prevent horses, mules, asses, cows, hogs, sheep and goats, from running uncontrolled in beat No. 5, in the county of Butler, and to prescribe a rule of damages, and rules of protection, in the trial of cases under this act.

H. B. 275. To incorporate Irby Female Academy.

H. B. 271. To authorize and require the commissioners court of Crenshaw county to dispose of moneys arising from fines, forfeitures and convict labor.

H. B. 365. To amend sections one and two of an act entitled an act to amend section 1630 and subdivision two of section 1649 of the Code, and sections one and four of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 14, 1885.

H. B. 371. To amend section three of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads in said county, approved February 23, 1883.

And has originated and passed,

s. 199. To repeal an act to raise a fund for the benefit of the fire companies in the city of Mobile.

s. 195. To amend an act to protect the owners of stock in Clarke county.

s. 183. To amend section 4 of an act entitled an "act to incorporate the town of Hartsell, in the county of Morgan," approved February 1, 1879.

s. 175. To authorize the court of county revenues of Chilton county, to issue bonds to an amount not exceeding twenty-five thousand dollars for the purpose of building a court house for said county.

s. 170. To amend an act entitled an act for the better protection of the planters in the counties of Marengo, Monroe, Clarke, Choctaw, Pickens, Greene and Talladega, so as to include Baldwin county in the provisions of this bill.

s. 165. To prevent the transportation of cotton in the seed, through or from that portion of what is known as "Marshall's Reserve," lying in Russell county, Alabama, to or across the Chattahoochie River, or to offer the same therein for sale, barter or exchange, except as now provided by law.



## SENATE MESSAGE.

The foregoing senate bills were respectively read one time and referred to committees as follows:

- s. 175, to ways and means.
- s. 165, 195, to local legislation.
- s. 199, 183, to corporations.
- s. 170, to counties and county boundaries.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the report of the committee of conference on the bill,

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools.

W. L. CLAY,  
Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 119. To regulate the trial of misdemeanors in Colbert county.

s. 126. To establish a new charter for the city of Huntsville.

s. 26. To regulate the summoning of witnesses in criminal cases in the circuit courts of Hale, Perry, Dallas, Lowndes and Wilcox counties.

s. 108. To authorize the court of county commissioners of Lauderdale county to issue bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling the said court to erect such iron bridges in said county as said court may deem necessary.

s. 120. To authorize and require the commissioners court of Marion county to make an order for the relief of J. P. Ford, late tax assessor of Marion county.

s. 59. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits

preserved in alcohol or alcoholic liquors, in the county of Montgomery, and other places therein named, approved February 28, 1887, so far as the same applies to within three miles of the Methodist Episcopal Church South, in Clayton, Barbour county, and within half a mile of the Catholic Church at Battle's wharf, in Baldwin county.

s. 84. To authorize the mayor and council of the city of Demopolis to issue bonds of said city for an amount not exceeding eight thousand dollars, bearing interest at a rate not exceeding eight per cent. per annum, for the purposes of purchasing school lots, erecting thereon suitable school buildings, and furnishing the same.

s. 91. To amend section 19 and 23 of an act approved on the 28th day of March, 1873, and entitled an act to establish a new charter for the city of Demopolis.

s. 53. To provide for additional improvements and buildings for the Alabama Academy for the blind, and the furnishing of the same.

s. 1. To amend sections 714 of the Code.

s. 39. To amend section 3 and to repeal section 5 of an act to regulate the fine and forfeiture fund of Lowndes county, and the disposal of moneys arising from fines, forfeitures and convict labor, approved February 7, 1885.

s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office.

s. 116. To regulate the summoning of the superintendent of the Alabama Insane Hospital as a witness in certain cases, and to authorize the taking of his testimony by deposition.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills, whose titles are set out in the above and foregoing senate message.

#### RESOLUTION.

Mr. Shorter, Mr. Clements in the chair, offered the following resolution, which was adopted:

*Resolved by the house* (the senate concurring), that the two houses take a recess at 2 p. m., and reassemble at 3:30 p. m.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has amended as therein shown, and, as amended, has adopted the joint resolution relating to recess.

W. L. CLAY,  
Secretary.

Senate amendment to house resolution relating to a recess :

*Provided*, That no bill other than the general appropriation bill shall be considered in either house after the hour of 2 o'clock p. m., the time originally fixed by the joint resolution for adjournment.

The house concurred in the amendment.

The house then adjourned till 3:30 p. m. to-day.

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AFTERNOON SESSION.

The house met pursuant to adjournment.

Present—Messrs. Speaker, Adams, Barnett, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Powell, Rabb, Summers, Stansel, Stone, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—65.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has adopted a joint resolution, herewith sent, relative to recess of the general assembly.

WM. L. CLAY,  
Secretary.

## SENATE MESSAGE.

*Resolved by the senate* (the house concurring), That upon adjournment this p. m., each house of the general assembly take a recess until the 29th day of January, 1889, at 12 o'clock m.

The house concurred in the above resolution.

## REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills—

H. B. 536. To incorporate the Western Contract and Construction Company of Alabama.

H. B. 518. To amend section 4 of an act entitled an act to divide the State of Alabama into four chancery divisions, approved February 28, 1887, as to the 14th and 15th districts of the northwestern chancery division.

H. B. 580. For the preservation of game animals and birds in the county of Tuscaloosa.

s. 1. To amend section 714 of the Code of 1886.

H. B. 578. To authorize the court of county commissioners of Tuscaloosa county to purchase claims against the fine and forfeiture fund of said county.

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

s. 127. To provide for the assessment of State and county taxes on property within the corporate limits of the city of Huntsville, Alabama.

H. B. 559. To amend section 11 of an act entitled "an act to better enforce the working of public roads in the counties of Montgomery and Hale," approved February 23, 1883, as amended by an act entitled "an act to amend an act entitled an act to better enforce the working of the public roads in the counties of Montgomery and Hale," approved February 23, 1883, so far as the same relates to Hale county, approved February 12, 1885, so far as the same relates to Hale county.

H. B. 501. For the relief of Mrs. Mary Johnson of Conecuh county.

H. B. 452. To repeal an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters or mixtures, within five

miles of Goodwater Academy, Coosa county, and in the county of Butler, except beat 12 in said county, approved February 19, 1887, so far as said act applies to Goodwater Academy in Coosa county.

The foregoing bills were severally read a second time and placed on the calendar.

#### RESOLUTION.

Mr. Lowe offered the following resolution, which was adopted :

*Resolved by the House of Representatives,* That the Immigration Convention be, and is hereby tendered the use of this hall, during its session in this city.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

At his own request, Mr. Stallworth has been relieved from duty on the joint committee on the convict system, and Mr. Milner appointed in his stead.

W. L. CLAY,  
Secretary.

#### ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report as properly enrolled :

H. B. 232. To make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State, for interest on the public debt and for public schools.

H. B. 163. To prohibit the sale, giving away, bartering, exchanging, or otherwise disposing of alcoholic, vinous, or malt liquors, or intoxicating bitters, beverages, or fruits preserved in alcoholic liquors, within one and a half miles of Pleasant Hill Baptist church in Cox's beat, and Bethany Baptist church in Little Wills Valley, Etowah county, or within three miles of Cumberland Presbyterian and Methodist churches at Maysville in Madison county, or within three miles of Good Hope church in Tuscaloosa county, or within three miles of Shady Grove church, in Pickens county, or in beat No. eight in Walker county; or within four

miles of Cove Creek Cumberland Presbyterian church in Etowah county; or within two miles of State Line church in Limestone county, or within two miles of the town of Kingsly in Henry county; or within three miles of the Baptist and Methodist churches in the town of Daviston in Tallapoosa county; or within four miles of the church and Masonic Hall at Fernbank, on the Georgia Pacific railroad, in Lamar county; or within two miles and a half of Baker's church, in Barbour county; or within three miles of Pea River Presbyterian church, in Barbour county; or within five miles of Union Chapel church, in Walker county; or within two miles of Emen's Methodist church, in Crenshaw county; or within five miles of Bethlehem Baptist church, in Barbour county; or within six miles of Stockton church, in Baldwin county; or within five miles of Williamsburgh Baptist church, in Jefferson county; or within three miles of the Methodist church at Delma, in Winston county on the north, east and south, and to the Marion county line on the west; or within three miles of Mount Zion church at Nauvoo Station, in Winston county; or within four and a half miles of Oak Grove church, in Shelby county; or within five miles of Zion church, in Walker county.

H. B. 371. To amend section 3 of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the workings of the public roads in said county, approved February 23, 1883.

H. B. 365. An act to amend section one and two of an act entitled an act to amend section 1630 and subdivision 2 of section 1649 of the Code, and sections one and four of an act entitled an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the workings of the public roads of said county, approved February 14, 1885.

B. M. MILLER,  
Chairman of Com.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, H. B's 232, 163, 365 and 371, whose titles are set forth in the above report.



## MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
December 12, 1888.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house:

House bills 181, 232, 365, 371, 163, 340, 193, 262, 11, 132, 170, 50, 139, 185, 131, 446, 360, 103, 275.

THOS. H. CLARK,  
Recording Secretary.

## RESOLUTION.

The following resolution was offered by Mr. Pettus and adopted:

*Resolved by the House* (the Senate concurring), That a committee of two from the house and one from the senate be appointed to wait on the governor and ascertain whether he has any further message to communicate to the two houses.

Committee on part of the house—Messrs. Pettus and Watters.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the joint resolution of the house relative to a committee to wait on the governor.

Committee on the part of the senate—Messrs. Handley, Tayloe and Smith.

W. L. CLAY,  
Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

Mr. Milner has been excused from service upon the joint committee to investigate the convict system, and Mr. Williams appointed in his stead.

W. L. CLAY,  
Secretary.

Mr. Pettus, from the committee appointed to wait on the governor, reported that His Excellency had no further communication to make to the house.

And the Speaker of the house at 6:30 o'clock, p. m., in conformity to the joint resolution adopted, declared the house adjourned till the 29th day of January, 1889, at 12 o'clock, m.

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## TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
TUESDAY, January 29, 1889.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Howell, of the city.

Present—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bourdeaux, Bash, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Mosely, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—90.

The journal of December 12th, 1888, was read and approved.

### ENROLLMENT.

Messrs. Bolton of Franklin, and Smaw of Greene, appeared within the bar of the house, took the necessary oath, and entered upon their duties as members of the House of Representatives of Alabama.

### LEAVE OF ABSENCE.

Leave of absence indefinitely, was granted to Messrs. Davie, Bogart, Adams, and Pitts, and to Mr. Wade for one day.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following bills correctly engrossed, to-wit :

Nos. 208, 176, 283, 345, 196, 341, 109, 387, 157, 461, 556, 372, 287, 236.

JOHN V. SMITH,  
Chairman.

## MESSAGE FROM THE GOVERNOR.

CHIEF EXECUTIVE OFFICE,  
MONTGOMERY, ALABAMA,  
January 29th, 1889.

*Gentlemen of the Senate and House of Representatives :*

I herewith transmit to you the report of Mr. John H. Caldwell, who has been acting as the agent of the State in the enforcement of the claims of the State of Alabama, against the United States, for what is known as the five per cent. fund, or the two and three per cent. fund of the net proceeds of lands lying within the State and sold by act of congress.

Sub-division three, of section six, of the act for the admission of Alabama, passed March 2nd, 1819, reads as follows :

"Third. That five per cent. of the net proceeds of the lands lying within the said territory, and which shall be sold by congress, from and after the first day of September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for making public roads, canals, and improving the navigation of rivers, of which three fifths shall be applied to those objects within the said State under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said State, under the direction of congress."

At the time I came into office this claim of the State was being resisted by the United States Government on this distinct ground, that the State of Alabama was indebted to the United States in the sum of five hundred and twenty-nine thousand three hundred and thirteen and 33-100 dollars, on account of the direct tax which in the year 1861 had been apportioned by the government of the United States to the several States as a war tax. This was the amount which had been apportioned to Alabama, and which, as was well known, had never been actually paid by the State, and the authorities at

Washington held this amount of \$529,318.33 to be a set-off against the fund which had accumulated and was accumulating under the act of admission.

By virtue of the act of the legislature, approved February 28th, 1887, I made a contract with Mr. John H. Caldwell, who had been previously acting as agent under contract with my predecessors, Governors Cobb and O'Neal, for the further prosecution of this claim.

The State, through its agent and by counsel, instituted proceedings against the United States, and these proceedings were prosecuted with varying fortunes until finally an adjudication was held by the Supreme Court of the United States favorable to the claim of the State. This decision was rendered on the 24th day of October, 1887, and since that time there has been covered into the State treasury, on account of this fund, the sum of \$33,119.90. The contract with the agents of the State was directed by an act of the legislature, to be made contingent on the success of the proceedings, and following the terms established by my predecessors, and approved by my judgment, was fixed at twenty-five per cent. of the amount realized—the agent paying all the expenses of the litigation. There will be covered into the State treasury in a few days an additional sum representing the net proceeds of the five per cent. fund for the sale of public lands for the year ending June 30th, 1888.

The result of this contract has been the realization of three-fourths of the accumulated fund and the removal of a formidable set-off of over a half a million of dollars claimed by the United States government. Hereafter the accruing proceeds under the act of admission will be covered into the State treasury without any expenses whatever, and there is no further legislation necessary for the purpose of continuing the benefits to which the State is entitled under the act of admission.

The report of the agent, Mr. Caldwell, covers these transactions, and also the prosecution of the claim of the State for the swamp and overflowed lands, and gives valuable information as to the claim of the State for indemnity for school lands in the place of the 16th section lost by reason of private claims, pre-emption, Indian claims, or where the 16th section is wanting by reason of State boundaries, rivers, etc., and these latter matters I expect to make the subject of a special message to you before your final adjournment.

#### INSANITY.

I think that there should be some legislation at this ses-

sion which will give better security to the community against the crimes of the insane or the alleged insane. Whenever it is recalled that the principal object of human punishment is the preservation and advancement of society, it is easy to become reconciled to the confinement of those insane people who have at any time in their lives shown that their going at large is a menace to society.

Lofty speculations concerning the diseases of the mind are entertaining and instructive, and are truly calculated to ameliorate the condition of the afflicted, but the immediate protection of the innocent and the preservation of the social order are weightier considerations. I should be satisfied to return in criminal administration to the ancient inquiry as to whether the person charged with crime knew right from wrong; but if this rule shall appear to be harsh, I earnestly recommend the passage of a law which shall more effectually secure the courts and country against imposition by false and desperate pleas of insanity.

#### APPEALS IN CRIMINAL CASES.

I have long thought that the delays incident to criminal administration are unworthy of our civilization. The court below on the trial of any considerable case presents usually a spirited and brilliant trial of legal hermeneutics between the counsel for the State and the learned counsel for the criminal. On each and every pertinent issue presented by the counsel, the circuit judge must, then and there, without an opportunity to investigate, decide, and all the questions whether merely technical or meritorious may become and do generally become a part of the record for the review of the appellate court. Necessarily in our system there must continue to be very many reversals of causes in cases where the merits of the issue are not even in a remote degree effected by the particular point on which the case was reversed. It is alleged that a great lawyer once used this language :

“An advocate, in the discharge of his duty, knows but one person in all the world, and that person is his client. To save that client by all means and expedients, and at all hazards and costs to other persons, and among them, to himself, is his first and only duty, and in performing this duty he must not regard the alarm, the torments, the destruction, which he may bring upon others. Separating the du-

ty of a patriot from that of an advocate, he must go on, reckless of consequences, though it should be his unhappy fate to involve his country in confusion."

And while this disgraceful doctrine has never been accepted by an honorable profession, yet it is well known that the zeal of counsel is usually very great. All the meritorious points are reasonably certain to be made in behalf of the defendant by his counsel, and yet section 4509 of the Code affirms that no assignment of error or joinder in error is necessary, and requires the Supreme Court in effect to search the record for a reversible error. I recommend the repeal of this section of the Code.

Further, I do not think that the Supreme Court should be required to reverse a judgment in any case unless a majority of the judges should be of the opinion that the defendant is, on the evidence presented in the record, entitled on the merits to a new trial. I know that such a law would crowd the record with substantially all the testimony taken in the trial in the court below, and to this extent would increase the labor of our already overworked appellate court, but the evil which such legislation would remedy is so great that I think this additional labor might reasonably be required; indeed, in the long run, in the suppression of unmeritorious appeals, it might be found to lessen the work of reviewing the criminal cases.

THOS. SEAY.

The governor's message and accompanying documents were read, and referred to the special committee on the three per cent. fund.

Mr. McElderry moved to suspend special orders for the purpose of continuing the call of counties for passage of bills.

Carried.

#### BILLS ON THIRD READING.

The call of counties was proceeded with and bills were called up as follows:

By Mr. Wiley—

s. 30. To amend section five of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17th, 1886.

Read a third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Billingslea, Blevins, Bradley,



Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Rabb, Simmons, Smaw, Sowell, Summers, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, White of Dallas—65.

By Mr. Hogue—

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

Read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Allen, Arrington, Bush, Blevins, Brown, Clark, Cornelius, Cunningham, Darby, Dark, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Mosely, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Porter, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston—53.

The bill was ordered to the senate without engrossment.

By Mr. Hogue—

H. B. 258. To fix the fees of the circuit clerk of Perry county.

Read a third time at length and passed—years 51, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bush, Blevins, Bradley, Brown, Cornelius, Darby, Dark, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Mancill, Maley, Miller, McElderry, Nelson, Paine, Patton, Pettus, Porter, Powell, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Dallas—51.

Nays—Mr. French—1.

The bill was sent to the senate without engrossment.

By Mr. Stansel—

H. B. 370. Fixing and prescribing the compensation to be paid the county treasurer of Jefferson county.

Amendment as follows, proposed by the committee :

“Amend by striking out three thousand in the last line, and insert in lieu thereof, two thousand and five hundred.”

Adopted.

The bill was read a third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Simmons, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Williams, Winston—60.

By Mr. Weaver—

s. 20. To amend an act entitled an act to prescribe the term of office of members of the court of county commissioners of Morgan, Cherokee, St. Clair, and Cleburne counties, and to fix their compensation, approved February 26th, 1887, so far as the same relates to the counties of Morgan, Cherokee and St. Clair,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Allen, Bush, Blevins, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Simmons, Sinaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas—63.

On motion of Mr. Lowe, house bill 306 was taken from the adverse calendar, and recommitted to the committee on corporations.

The hour of 1:30 p. m. having arrived, the house stood adjourned until 3:30 p. m. to-day.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.

Present—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight,

Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—92.

#### BILLS ON THIRD READING.

The call of counties for the passage of bills was continued and bills were called up as follows :

By Mr. Stansel—

H. B. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, commissioners districts, the public dirt roads, the railroads, streams, and such other matters and things of local interest, and importance as they may deem proper, in said county.

The bill was ordered to a third reading, read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Billingslea, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hogue, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Mosely, McElderry, McLendon, McRee, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smith, Stansel, Stowers, Tatum, Walker, Ward, Webb, Williams, Winston, Woolf—56.

By Mr. Carter—

H. B. 260. To authorize the court of county commissioners of Pike county to levy a special tax in any such district as is now established, or that may hereafter be established within said county; for the purpose of providing and maintaining line fences for such districts.

The bill was ordered to a third reading, read the third time at length and lost—yeas 43, nays 4.

Yeas—Messrs. Allen, Arrington, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, Hampton, Higgins, King, Knight, Ledyard, Lee,

Longshore, Maddox, Maley, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Porter, Powell, Pratt, Simmons, Stansel, Stowers, Tatum, Webb, Williams, Winston—43.

Nays—Messrs. Hardy, Pettus, Smith, Woolf—4.

By Mr. Darby—

H. B. 434. To amend an act entitled an act to more effectually secure competent, and well qualified jurors in certain counties in this State, so far as the same relates to the county of Pike.

The bill was ordered to a third reading, read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Higgins, Hogue, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stowers, Tatum, Walker, Watters, Webb, Williams, Winston, Woolf—59.

By Mr. Nisbet—

H. B. 319. To amend section 215 of the Code.

The bill was ordered to a third reading, read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Allen, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Mosely, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Webb, Williams, Winston, Woolf—57.

By Mr. Smith—

H. B. 490. To amend the act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 55, nays 1.

Yeas—Messrs. Speaker, Allen, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins,

Hogue, Johnson, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McLendon, Nelson, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Webb, Williams, Winston, Woolf—55.

Mr. Lay voted nay—1.

By Mr. Henderson—

s. 142. To incorporate the Roanoke Normal College at Roanoke, Randolph county, Alabama.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 58, nays 0.

Yeas—Messrs. Arrington, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Webb, Williams, Woolf—58.

By Mr. Longshore—

H. B. 315. To provide for and regulate the sale of vinous, spirituous or malt liquors, in the corporate limits of the town of Calera in Shelby county.

Mr. Johnson moved to amend section 1, by striking out the word "twenty" and inserting in lieu "majority of the;"

Which, on motion of Mr. Winston, was laid on the table.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 50, nays 13.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bolton, Bush, Blevins, Brown, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Dykes, Fitzpatrick, George, Henderson, Higgins, Hogue, Hundley, Johnston, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Miller, NeSmith, Paine, Pettus, Porter, Pratt, Russell, Sowell, Smith, Stansel, Stone, Tatum, Walker, Waters, Winston, Woolf, White of Dallas—50.

Nays—Messrs. Benners, Dupree, Kemp, Lee, Maley, McLendon, Nelson, Nisbet, Rabb, Simmons, Stowers, Webb, Williams—13.

By Mr. Maddox—

H. B. 369. To amend section 3064 of the Code, so far as the same relates to Jefferson county.

The amendment offered by the committee was adopted.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 58, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bush, Blevins, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, Nelson, Nesmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Russell, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Tatum, Walker, Webb, Williams, Woolf, White of Dallas—58.

Mr. Hundley voted nay—1.

By Mr. Arrington—

H. B. 301. To amend section 4556 of the Code.

On motion of Mr. Arrington, section 1 was amended by prefixing thereto the words: "Be it enacted by the general assembly of Alabama."

The bill, as amended, was ordered to a third reading, read the third time at length and passed.

Yeas 60, nays 2.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Posey, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Webb, Williams, Woolf, White of Dallas—60.

Nays—Messrs. Bolton, Porter—2.

By Mr. Bourdeaux—

s. 64. To amend section 3792 of the Code.

The amendment offered by the committee was adopted, and the bill was ordered to a third reading, read the third time at length and passed.

Yeas 58, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Lewis, Lorg, Longshore, Maddox, Maley,



Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Watters, Webb, Williams, Woolf, White of Dallas—58.

Mr. Webb called up—

H. B. 380. To provide for the working of the public roads in the county of Talladega;

And offered a substitute, which was adopted.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 53, nays 0.

Yeas—Messrs. Allen, Arrington, Bevis, Bourdeaux, Bush, Blevins, Brown, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, French, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Webb, Williams, Woolf—53.

Also,

s. 52. To provide for a mechanical and industrial department in the Alabama Institute for the Deaf and Dumb.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 57, nays 2.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bolton, Bourdeax, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Moseley, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Posey, Powell, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Webb, Williams, Woolf—57.

Nays—Messrs. Dykes, Kemp—2.

By Mr. Dark—

H. B. 100. To abolish the county court of Tallapoosa county.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bolton, Bourdeax, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, Dykes, Fitz-

patrick, French, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Long, Longshore, Maddox, Maley, Moseley, McElvey, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams—59.

By Mr. Dupree—

H. B. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Tallapoosa county, approved March 1, 1870.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 56, nays 0.

Present—Messrs. Speaker, Allen, Arrington, Benners, Billingslea, Bolton, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Longshore, Maley, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf—56.

By Mr. Cochrane—

H. B. 161. To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

The bill was read the third time and passed.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bordeaux, Blevins, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Ledyard, Lee, Longshore, Maley, Miller, McLendon, Nelson, NeSmith, Patton, Pettus, Porter, Posey, Powell, Sowell, Smith, Stansel, Stone, Stowers, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—52.

On motion of Mr. Cochrane the bill was ordered to the senate without engrossment.

By Mr. Clements—

H. B. 267. To amend sections 3 and 4 of an act to more effectually secure competent and well qualified jurors in the several counties in this State, approved February 28, 1887,

Substitute pending.

Mr. Paine moved to amend the bill by striking out "21" where it occurs in the bill and substituting "18."

Lost.

Mr. Clements moved to make the bill a special order for to-morrow at 3:30 o'clock p. m.

Carried.

#### INTRODUCTION OF BILLS.

By leave of the house Mr. Ward introduced the following bill:

H. B. 624. To amend sections one and two of an act entitled an act to incorporate the Southwestern railroad company, approved January 21, 1860.

The bill was read one time and referred to the committee on revision of laws.

Mr. Pettus gave notice that he would on to-morrow, after reading the journal, move to reconsider the vote by which H. B. 260 was lost.

The hour of 6 p. m. having arrived, the house stood adjourned till to-morrow morning at 10 o'clock.

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### TWENTY-SEVENTH DAY.

#### HOUSE OF REPRESENTATIVES,

Wednesday, January 30, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Howell of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smis-son, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker,

Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—94.

Journal of yesterday was read and approved.

#### RECONSIDERATION.

On motion of Mr. Pettus, the vote by which H. B. 260 was lost on yesterday was reconsidered.

The bill passed—yeas 51, nays 15.

Yeas—Messrs. Allen, Bevis, Bush, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Kemp, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElvey, McLendon, McLeod, McRee, Nelson, Paine, Patton, Powell, Pratt, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Watson, Weaver, Webb, Winston, White of Geneva—51.

Nays—Messrs. Benners, Clements, Denson, French, Hardy, Hogue, Hundley, Knight, McElderry, Nisbet, Pettus, Smith, Wade, Ward, Woolf—15.

#### ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit :

Nos. 319, 325, 290, 370, 322, 258, 315, 369, 410, 421, 499, 313, 380, 520.

JOHN V. SMITH,  
Chairman.

On motion of Mr. Denson house bill 481 was recommitted to the committee on ways and means.

#### BILLS ON THIRD READING.

Under the call of counties for the passage of bills, bills were called up as follows :

By Mr. Cornelius—

H. B. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county, Alabama,

Was read a third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Buordeaux, Bush, Brown, Carter, Clark, Clements,

Cornelius, Cunningham, Curtis, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—73.

By Mr. Posey—

H. B. 314. To fix fees of coroners.

The amendment offered by the committee was adopted.

Mr. White of Dallas, moved that the provisions of the bill apply to the county of Dallas.

Adopted.

Mr. Pettus moved to add to the end of the bill the words, "Provided, if there is no coroner in said county and a justice of the peace shall act as *ex-officio* coroner, he shall receive the same fees as those provided in this act shall be received by the coroner."

Adopted.

On motion of Mr. McRee the provisions of the bill were made to apply to Lowndes county.

The bill was read a third time at length and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cornelius, Curtis, Dark, Denson, Dupree, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Mosely, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—74.

By Mr. George—

H. B. 487. To define and regulate the jurisdiction of justices of the peace, and notaries public, who are *ex-officio* justices of the peace in precincts 21 and 37, in the wards of the city of Birmingham, Alabama, in Jefferson county, in said State, and to regulate their fees,

Was read a third time at length and passed—yeas 70, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Cornelius, Cunningham, Curtis, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Mancill, Maley, Miller, Mosely, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Summers, Smaw, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—70.

By Mr. Miller—

H. B. 26. To authorize the mayor and aldermen of Birmingham to issue bonds of said city for an amount not exceeding three hundred thousand dollars, for the purpose of building and constructing sewers and making other permanent improvements in said city, paying floating debt of the city, and paying for cemetery grounds.

Mr. Lowe offered the following amendment:

Amend section 1 by striking out the words "three hundred thousand" where they occur, and inserting in lieu thereof the words "five hundred thousand."

Adopted.

The bill was read a third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Dark, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—80.

Mr. Lowe moved to reconsider the vote by which the bill had just passed, and then moved to lay that motion on the table. The latter motion prevailed.

The bill was ordered to the senate without engrossment.

By Mr. Long—



H. B. 391. To amend section 3685 (5030) of the Code.

Was read a third time at length and passed—yeas 71, nays 0.

Yeas—Messrs. Speaker, Adams, Aller, Arrington, Ben-  
ners, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Car-  
ter, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree,  
Dykes, Fitzpatrick, French, George, Hampton, Hardy, Hen-  
derson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight,  
Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Mad-  
dox, Maley, Miller, Moseley, McElderry, McElvey, Mc-  
Lendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine,  
Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Smis-  
son, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward,  
Weaver, Williams, Winston, White of Dallas, White of Ge-  
neva—71.

On motion of Mr. Hundley the special orders for this  
hour were suspended for the call of the counties for the in-  
troduction of bills.

#### INTRODUCTION OF BILLS.

By Mr. Pratt—

H. B. 625. To change the boundary line between the  
counties of Autauga and Elmore.

Also,

H. B. 626. To regulate the taking up and confinement of  
stock running at large in certain stock law districts of Au-  
tauga counties.

By Mr. Shorter, (Mr. Miller in the Chair)—

H. B. 627. To regulate the assessment of property after  
the completion of his sittings by the tax assessor of Bar-  
bour county.

Also,

H. B. 628. To amend section 4451 of the Code.

By Mr. Johnson—

H. B. 629. To require administrators of estates of per-  
sons who were non-residents of this State, at the time of  
their deaths, to lodge with the clerks, or register, security  
for costs.

By Mr. Stowers—

H. B. 630. To lay off the county of Bullock into four  
commissioners districts.

By Mr. Williams—

H. B. 631. To incorporate the Noble Institute.

By Mr. Powell—

H. B. 632. To ascertain claims of witnesses registered against the fine and forfeiture fund of Bullock county.

By Mr. Nelson—

H. B. 633. To prevent the purchase of corn or cotton in this State before the same is made and gathered.

By Mr. Nelson—

H. B. 634. To secure to the mortgagor an appraised value of his property when sold by the mortgagee.

By Mr. Lee—

H. B. 635. To enlarge the jurisdiction of justices of peace in Conecuh county, and to regulate the trial of certain misdemeanors in said county.

By Mr. Brown—

H. B. 636. To amend section 43 of the Code, so far as the same relates to Coosa county.

By Mr. Mancill—

H. B. 637. To repeal an act to protect domestic animals against camp hunting in Covington county, approved February 9, 1887.

By Mr. Watson—

H. B. 638. To incorporate the Highland Home College in Crenshaw county.

By Mr. Higgins—

H. B. 639. For the protection of officers of court, and witnesses in collection of fees and costs in civil suits.

By Mr. White of Dallas—

H. B. 640. To amend section 8 of an act to incorporate the inhabitants, and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and establish a local government therefor, approved February 17, 1883.

Also,

H. B. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12, 1888.

Also,

H. B. 642. To amend an act to provide for funding and paying legal debts of Selma, created prior to December 6, 1875, approved December 7, 1888.

Also,

H. B. 643. To prescribe the mode of notice to administrators, executors, and guardians in certain cases.

Also,

H. B. 644. To provide for repairing and furnishing the capitol, and improving the capitol grounds.

By Mr. Billingslea—

H. B. 645. To declare J. T. Caine, a liner between the counties of Perry and Dallas, a citizen of Dallas county.

Also,

H. B. 646. To declare F. M. Dansby, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

By Mr. Pettus—

H. B. 647. To amend sections two and three of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

Also,

H. B. 648. To provide for the serving of process in real actions where the defendant secretes himself.

Also,

H. B. 649. To amend section 4492 of the Code.

Also,

H. B. 650. To regulate petitions for rehearings in the Supreme Court.

By Mr. Parker—

H. B. 651. To establish the Central Institute school district in Elmore county.

By Mr. Rabb—

H. B. 652. To empower the township superintendent of township two, of range ten, Escambia county, to sell certain lands.

Also,

H. B. 653. To incorporate the town of Alco, Escambia county, Alabama.

By Mr. Wade—

H. B. 654. To prohibit the sale, giving away or otherwise disposing of vinous, malt, or spirituous liquors, within three miles of Union Missionary Baptist church near Duck Springs, in Etowah county, Alabama; Bristoe's Creek Missionary Baptist church in Bristoe's Cove, Etowah county, Alabama; also, Cove Camp Ground Methodist church, in Etowah county, Alabama.

By Mr. Smaw—

H. B. 655. To authorize the widow of Jos. M. Bullock, deceased, to administer his estate in Mobile county upon a limited bond and to confer jurisdiction upon the Mobile probate court for that purpose.

By Mr. Knight—

H. B. 656. To define a lawful fence in Hale county, Alabama.

By Mr. Benners—

H. B. 657. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate the proceedings therein, approved February 12, 1879.

Also,

H. B. 658. To incorporate the Railway Passengers Indemnity Company.

By Mr. French—

H. B. 659. To amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act to provide a fund for the payment of witnesses for, and other officers in State cases, in Jackson county, and to prescribe their compensation, approved March 1, 1881.

Also,

H. B. 660. To allow the people of Jackson county, to elect their county commissioners from each district.

Also,

H. B. 661. To repeal an act to incorporate Larkinsville, in the county of Jackson.

Also,

H. B. 662. For the relief of Alice Gidens.

By Mr. Lowe—

H. B. 663. To fix the pay of county commissioners and judges of probate of Jefferson county.

By Mr. Porter—

H. B. 664. To amend the charter of the Elyton Land Company, a corporation organized under the general incorporation laws of this State.

Also,

H. B. 665. To amend section 3 of an act entitled an act to provide for the working of the public roads in Jefferson county by contract, and to further regulate the working of the roads in said county, approved February 17, 1885.

Also,

H. B. 666. To provide for the collection of costs in certain cases.

Also,

H. B. 667. To amend section 2 of an act entitled an act to provide for the working of the public roads in Jefferson county by contract, and to further regulate the working of the roads in said county, approved February 17, 1885.

Also,

H. B. 668. To amend section 2348 of the Code of Alabama.

H. B. 669. To incorporate the Birmingham Female College.

Also,

H. B. 670. To amend section 3426 of the Code of Alabama;

Also,

H. B. 671. Ratifying, approving and confirming the action of the mayor and board of aldermen of Birmingham in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel buildings a portion of one of the public alleys in the city of Birmingham;

Also,

H. B. 672. To establish a charter for the town of Avondale in Jefferson county;

Also,

H. B. 673. To enlarge and increase the jurisdiction of justices of the peace, and the notaries public having like powers, of precinct 33 in Jefferson county, and to regulate the exercise thereof.

By Mr. Cunningham—

H. B. 674. To confirm the incorporation of the Florence Railroad & Improvement Company, and to define and declare the powers of the said company;

Also,

H. B. 675. To incorporate the Florence Belt Railroad & Improvement Company;

Also,

H. B. 676. For the relief of the firms of Dewberry, and J. C. Bevis.

By Mr. Kyle (by request),

H. B. 677. To provide for the term of office of the tax collector of Lee county;

Also,

H. B. 678. To refund to Adolphus Stevens and others taxes improperly collected from them.

By Mr. McElvey—

H. B. 679. To change the name of the town of Brownville, Lee county.

By Mr. McRee—

H. B. 680. Requiring the health officer of Lowndes county to provide medical attention and medicine for the paupers of said county free of charge.

By Mr. Paine—

H. B. 681. To establish a separate school district at Tus-

kegee, Macon county, Alabama, and to define its boundaries;

Also,

H. B. 682. To relieve Jesse H. Thompson of Macon county of the disabilities of non-age;

Also,

H. B. 683. To repeal an act approved February 28, 1887, to prohibit the sale, giving away, or disposing of any vinous, spirituous, or malt liquors, or intoxicating bitters, beverages, or drinks, or fruits, preserved in alcohol or alcoholic liquors, in the county of Montgomery, and other places mentioned in said bill (including beat 3, known as Sanity Hill beat, Macon county, and Tuskegee beat, Macon county) so far as the same relates to the town of Tuskegee, and to authorize the town council of said town to grant license for the sale of vinous, spirituous, or malt liquors, within the corporate limits of said town.

By Mr. Hampton—

H. B. 684. To define and prescribe a lawful fence in certain portions of the county of Madison.

By Mr. Hundley—

H. B. 685. To amend sections four and eight of an act entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888;

Also,

H. B. 686. To amend section 4233 of the Code of Alabama;

Also,

H. B. 687. For the relief of E. C. Betts, late commissioner of agriculture;

Also,

H. B. 688. To amend section 4665 of the Code;

Also,

H. B. 689. For the relief of Thomas B. Kelly;

Also,

H. B. 690. To regulate the fine and forfeiture fund of Madison county;

Also,

H. B. 691. To allow landlords, or the owners of the soil, to sue in an action *quare clausum fregit*;

Also,

H. B. 692. To amend section 3682 of the Code of Alabama;

Also,

H. B. 693. To form a separate school district within the



bounds therein named in the county of Madison, and to provide for the distribution of public school funds in said district.

By Mr. Woolf—

H. B. 694. To amend the charter of the city of Faunsdale, Marengo county, Alabama;

Also,

H. B. 695. To grant to the Dayton & Faunsdale Railroad Company the right of way through section 16, township 17, range 5 east, Marengo county;

Also,

H. B. 696. To incorporate an educational institute in the city of Demopolis, Alabama, under name and style of the Marengo Military Academy;

Also, with notice and proof,

H. B. 697. For the relief of I. H. and W. S. Askew, of Marengo.

By Mr. Winston—

H. B. 698. To designate and establish the east, south and west boundary lines of Marshall county.

Also,

H. B. 699. To amend section 1434 (1670) of the Code;

Also,

H. B. 700. To authorize the county treasurer of Marshall county to register certain claims against the fine and forfeiture fund of said county;

Also,

H. B. 701. To amend an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, with the exception that the provisions of this act shall not apply to certain counties therein named, approved 28th February, 1887, so as to make the provisions of said act apply to Marshall county.

By Mr. Ledyard—

H. B. 702. For the better suppression of gambling;

Also,

H. B. 703. To provide for the humane killing of animals so maimed and crippled by railroad locomotives, or cars, as to be unable to procure food or drink for themselves.

By Mr. Lay—

H. B. 704. To amend sections one, three, five and thirteen of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

By Mr. Lewis—

H. B. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile & Navy Cove Harbor Railway Company, approved February 28, 1887 ;

Also,

H. B. 706. To fix the fees and charges for impounding animals in the city of Mobile;

Also,

H. B. 707. For the relief of the Columbus Insurance & Banking Company of the State of Mississippi.

By Mr. Barnett—

H. B. 708. To incorporate the Fidelity Mortgage & Trust Company of Alabama.

By Mr. Wiley—

H. B. 709. To incorporate the Alabama & Texas Railway Company;

Also,

H. B. 710. To amend section 959 of the Code.

Also,

H. B. 711. To authorize any person interested in the estate of a decedent to plead the statutes of limitation to any claims against such estate on any settlement thereof.

Also,

H. B. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome and Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

By Mr. Weaver—

H. B. 714. To establish a separate school district in Morgan county, known as Woodland Mills School District.

By Mr. Hogue—

H. B. 715. To repeal section 1120 and to amend sections 1159, 1160, 1166, 1167 and 1168 of the Code of Alabama, and to amend sections 1 and 5 of an act to provide for the comfort of passengers on railroads, approved February 28, 1887.

By Mr. Stansel—

H. B. 716. To amend section 3217 of the Code.

Also,

H. B. 717. To amend section 3215 of the Code.

Also,

H. B. 718. To amend section 5210 of the Code.

By Mr. Henderson—

H. B. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph county.

Also,

H. B. 720. To provide for the election of commissioners of roads and revenues for Randolph county.

By Mr. Smith—

H. B. 721. To amend section 3365 of the Code of Alabama, so as to authorize the affidavit to be made by an agent or attorney.

By Mr. Longshore—

H. B. 722. To prescribe the time and manner of ordering and summoning jurors for an adjourned term of the circuit court, in the counties of Cleburne, Calhoun and Shelby.

By Mr. Maddox—

H. B. 723. To authorize the judge of the circuit court to fix by an order, entered on the minutes of the court, the time when the criminal docket may be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

Also,

H. B. 724. To fix the times of holding the circuit courts in the several counties composing the seventh (7) judicial circuit.

Also,

H. B. 725. To amend section six of an act of the general assembly of Alabama, approved February 17th, 1885, entitled an act to incorporate the St. Clair Coal Company.

Also,

H. B. 726. For the preservation of game animals and birds in St. Clair county.

By Mr. McElderry—

H. B. 727. To prescribe the duties and provide for the compensation of the county solicitor for the county of Talladega.

By Mr. Webb—

H. B. 728. To encourage immigration to the State of Alabama.

By Mr. Cochrane—

H. B. 729. To regulate the drawing and organization of grand juries in the circuit court of Tuscaloosa county.

Also,

H. B. 730. To amend section 4485 of the Code of Alabama.

By Mr. Clements—

H. B. 731. To provide for conducting farmers institutes in the State of Alabama.

By Mr. Cornelius (by request),

H. B. 732. To empower the governor of Alabama to re-

convey to the United States a certain tract of land described in this bill.

Also,

H. B. 733. To incorporate the Jasper Trust Company.

Also,

H. B. 734. To regulate the fees of justices of the peace in Walker county.

Also,

H. B. 735. To ratify and confirm the charter of the Jasper Land Company.

By Mr. Posey—

H. B. 736. To authorize the board of county commissioners of Washington county and the board of revenue and road commissioners of Mobile county to re-establish and fix boundary line between said counties.

By Mr. Miller—

H. B. 737. To amend sections 2123 and 2120 of the Code of Alabama of 1886.

Also,

H. B. 738. To amend section 491 of the Code of Alabama of 1886.

By Mr. George (by request),

H. B. 739. To amend sections 533 and 535 of the Code of 1886, so far as the same applies to Wilcox county.

Also,

H. B. 740. To prevent collisions on roads, streets, and other passage ways.

By Mr. Ward (by request)—

H. B. 741. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within four (4) miles of Tolbert Baptist church in beat sixteen (16), in all directions, in Henry county.

By Mr. Tatum—

H. B. 742. To amend section 4018 of the Code.

By Mr. White, of Dallas—

H. B. 743. To regulate the business of insurance in this State.

By Mr. Cochrane—

H. B. 744. Authorizing and permitting the board of trustees of the Alabama Insane Hospital to grant the right to open rock quarries on the lands belonging to the said Hospital for the purpose of building locks or dams in the Warrior river by the United States Government free of charge.

Also,

H. B. 745. In relation to criminal insane persons, who are charged by indictment with murder and other high crimes.

By Mr. Lowe—

H. B. 746. To amend the charter of the "People's Savings Bank," a corporation organized in the county of Jefferson, under the general laws of the State of Alabama.

By Mr. Stansel—

H. B. 747. To amend section 614 of the Code, so as to provide for the more certain collection of escaped taxes and for the better description of lands sold for taxes and bid in by the State.

By Mr. Hogue—

H. B. 748. For the relief of soldiers maimed or disabled during the late war, and the widows of Confederate soldiers whose husbands were killed, or died in said war, and who have not since remarried.

By Mr. Hampton—

H. B. 749. To authorize the posting of land in this State and to provide the manner of enforcing the same.

By Mr. Denson—

H. B. 750. To amend section 97 of the Code.

By Mr. Porter—

H. B. 751. To authorize certain courts in this State to summon jurors for the trial of criminal cases from counties other than the county where the case is to be tried, and prescribing the mode of summoning the said jurors and providing for the pay of the jurors.

By Mr. Knight—

H. B. 752. To authorize the governor to adjust and settle the claim of Johnston Jones for services rendered the State of Alabama in restoring the quota of arms and equipments by the United States to the State of Alabama.

The foregoing bills were severally read one time and referred to appropriate committees, as follows :

House bills 652, 650, 649, 648, 647, 729, 730, 643, 642, 641, 640, 639, 638, 628, 685, 742, 627, 686, 688, 687, 689, 692, 691, 696, 694, 743, 749, 751, 701, 702, 703, 709, 711, 671, 670, 668, 712, 721, 745, 666, 665, 663, 662, 657, 744, to the judiciary.

House bills 635, 634, 633, 681, 682, 683, 699, 700, 704, 705, 706, 707, 673, 659, 655, 738, 737, 715, 716, 717, 718, 719, 720, to revision of the laws.

House bills 653, 629, 746, 675, 735, 733, 725, 674, 672, 669, 664, 658, to corporations.

House bills 646, 645, 638, 637, 632, 734, 739, 630, 680, 678, 677, 660, 726, to local legislation.

House bills 684, 731, 656, to agriculture.

House bill 690, to special committee of Madison delegation, with leave to report at any time.

House bill 698, to special committee of members from DeKalb, Marshall, Etowah, Blount, Cullman and Morgan, with leave to report at any time.

House bill 667, to public roads and highways.

House bills 750, 727, to fees and salaries.

House bills 644, 625, 697, to appropriations.

House bill 626, to mines and manufactories.

House bills 679, 736, to counties and county boundaries.

House bills 654, 741, and memorial of citizens of New Hope precinct in Madison county, to temperance.

House bills 748, 752, to military.

House bills 708, 747, to ways and means.

House bill 676, to accounts and claims.

House bills 651, 931, 693, 695, 714, 710, 661, to education.

House bills 722, 723, 724, to a special committee composed of members of seventh judicial circuit.

House bill 740, to commerce and common carriers.

House bill 728, and memorial from Farmers' Alliance, to immigration.

House bill 732, to federal relations.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills, and ordered the same forthwith to the house without engrossment, viz :

s. 191. To regulate the time of opening courts in the third and fifth judicial circuits in the State of Alabama.

s. 58. To establish a State female industrial school and university in Alabama.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 191, to judiciary.

s. 58, to education.



## REPORTS OF STANDING COMMITTEES.

By leave, Mr. Pettus, from the judiciary committee, reported favorably to the bills:

H. B. 613. To provide for the time of holding the circuit courts in the sixth judicial circuit of this State.

s. 145. To amend section 2707 of the Code.

H. B. 555. For the protection of widows and minor children.

H. B. 508. To amend section 1761 (2098) of the Code of Alabama.

s. 23. To incorporate the Anniston and Montgomery Railroad Company, and to further the construction of said railroad.

The foregoing bills were severally read a second time and placed on the calendar.

## SPECIAL ORDERS.

*First.*

H. B. 20. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in this State, except in incorporated towns and cities having police regulations.

Mr. Pettus offered the following amendment:

Add to section 2 the words, "Provided, that the provisions of this bill shall apply only to the counties of Jefferson, Talladega, Walker, Elmore, Tallapoosa, Autauga, Montgomery, Morgan, Chambers, Conecuh, Bullock and Fayette."

Adopted.

Mr. Lowe offered the following amendments:

In section 1, strike out "1888," and insert in lieu, "1889."

Adopted.

Add to end of section 2 the words, "Provided, that nothing in this act contained, shall be construed to authorize the sale of whiskey in any county, precinct or district, where the sale of whiskey is now or may hereafter be prohibited.

Adopted.

The bill was read a third time at length and passed.

Yeas 74, nays 4.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Clark, Clem-

ents, Cochrane, Cornelius, Cunningham, Dark, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—74.

Nays—Messrs. Brown, Higgins, Hundley, Rattray—4.

Mr. White of Dallas asked and obtained leave for the committee on the auditor's and treasurer's office to sit during this afternoon's session.

On motion of Mr. Denson, s. 109 was made a continuing special order till disposed of after the special order for this afternoon.

On motion of Mr. Winston, H. B. 60 was made a continuing special order from the time it shall be taken up till disposed of.

Mr. McElderry, from a special committee, reported that Hon. J. M. L. Curry would address the house at 12 m., Friday next, on the subject of education.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m., to-day.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters,

Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—92.

SPECIAL ORDERS.

*First.*

H. B. 60. To provide for the election of the county solicitor by a vote of the qualified voters in the county of Marshall.

The bill was read a third time at length and lost—yeas 26, nays 42.

Yeas—Messrs. Adams, Allen, Bevis, Bolton, Blevins, Brown, Clark, Curtis, Dark, Dykes, Files, French, Henderson, Higgins, Longshore, Maley, McElderry, Nelson, Nesmith, Pettus, Rattray, Summers, Weaver, Webb, Winston, White of Geneva—26.

Nays — Messrs. Speaker, Benners, Billingslea, Bourdeaux, Bradley, Clements, Cochrane, Cornelius, Darby, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Kyle, Ledyard, Lowe, Miller, Moseley, McLendon, McLeod, McRee, Nisbet, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Smisson, Smith, Stone, Stowers, Tatum, Walker, Watters, Wiley, Williams—42.

*Second.*

H. B. 267. To amend sections 3 and 4 of an act to more effectually secure competent and well qualified jurors in the several counties of this State, &c.

The substitute offered by the committee was adopted.

Mr. Clements offered the following amendment:

Add after the word "drawn," in section 4, the words, "Provided, that in such counties where there are not as many precincts as there are grand jurors required, said grand jury shall be drawn from such precincts as there are in said county; *And provided further*, that in case there are no qualified grand jurors in any precinct in any county, then the grand jury shall be drawn from the other precincts from which grand jurors have already been drawn; *Provided further*, in cities or towns divided in wards, each ward shall be considered as a precinct in drawing and distributing grand jurors in said county."

Adopted.

Mr. Shorter offered the following amendment :

Add to end of bill the words, "Provided the provisions of this bill shall not apply to the counties of Barbour, Choctaw and Autauga."

Adopted.

Mr. Hogue moved to recommit the bill to committee on revision of laws.

Lost.

The bill was read a third time at length and passed; yeas 64, nays 12.

Yeas—Messrs. Adams, Allen, Bevis, Bolton, Bourdeaux, Bradley, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, French, George, Hampton, Henderson, Higgins, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Pratt, Rattray, Simmons, Sowell, Smaw, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Webb, Williams, Winston, Woolf, White of Geneva—64.

Nays—Messrs. Speaker, Benners, Bush, Blevins, Brown, Fitzpatrick, Hardy, Hogue, Hundley, McElvey, Nisbett, Pettus—12.

Mr. Stone moved to reconsider the vote by which H. B. 267 was passed, and then moved to lay that motion upon the table.

The latter motion was carried.

By leave, Mr. Lee called up

s. 107. To allow the sheriff of Conecuh county the same fees for public road services as are now allowed under the general laws of Alabama to other sheriffs.

The bill was read a third time at length and passed—yeas 74, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Curtis, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paire, Parker, Patton, Porter, Posey, Pratt, Rattray, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade,

Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf—74.

On motion of Mr. Hardy, at 5:40 p. m. the house adjourned till 10 a. m. to-morrow.

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## TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, January 31, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Howell of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

The journal of yesterday was read and approved.

### LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Long on account of sickness;

To Mr. Meador, from the opening of the session until to-night.

### RECONSIDERATION.

Mr. Lee moved that the vote by which house bill 20 was passed on yesterday, be reconsidered.

Carried.

Mr. Lee moved that the vote, by which the bill was ordered to a third reading, be reconsidered.

Carried.

Mr. Denson moved to amend the bill by striking out the word "Chambers" where it occurs in the bill.

Carried.

Mr. Lee moved to amend by striking out the word "Conceh" wherever it occurs in the bill.

Carried.

Mr. Weaver moved to amend the bill by striking out the word "Morgan" wherever it occurs in the bill.

Carried.

Mr. Stowers moved to amend the bill by striking out the word "Bullock" wherever it occurs in the bill.

Carried.

Mr. Dark moved to amend the bill by striking out the word "Tallapoosa" wherever it occurs in the bill.

Carried.

The bill was ordered to a third reading, read the third time at length and passed—yeas 70, nays 3.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bogart, Bush, Bradley, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Denson, Dupree, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Smaw, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Woolf, White of Dallas, White of Geneva—70.

Nays—Messrs. Higgins, Rattray and Summers—3.

#### ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 301, 215, 434, 311, 373, 490, 160, 161.

JOHN V. SMITH,  
Chairman.

Mr. Watson moved to table house bill 121.

Carried.



## SPECIAL ORDER.

s. 109. To provide for the settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, to the State of Alabama.

Mr. Denson moved the following amendment:

"And provided further, That the special State tax collected from Chambers county for the year 1888, when so collected, shall be paid over by the State treasurer to the probate judge of said county, to be applied under the direction of the commissioners court to liquidating the bonds of said county, now outstanding, issued in settlement of said railroad indebtedness."

Carried.

The bill was then read the third time at length and passed—yeas 81, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Webb, Williams, Winston, Woolf, White of Geneva—81.

## MESSAGE FROM THE GOVERNOR.

## EXECUTIVE DEPARTMENT,

GOVERNOR'S OFFICE,

January 31, 1888.

*Mr. Speaker:*

I am instructed by his excellency, the governor, to communicate to the house a message in writing, with accompanying documents.

THOS. H. CLARK,  
Recording Secretary.

January 31, 1888.

*Mr. Speaker, and Gentlemen of the House of Representatives :*

I herewith transmit to you the report of the attorney-general of the business of that office for the two years ending October 1, 1888.

The report has been deferred for the reason that certain subsidiary reports to the attorney-general himself were delayed.

Your attention is respectfully invited to the consideration of the report.

THOS. SEAY.

Which were read and referred to judiciary.

Mr. Lowe moved to reconsider the vote by which house bill 487 was passed on yesterday.

Carried.

#### RESOLUTION.

Mr. Pettus offered the following resolution :

*Resolved by the house* (the senate concurring), That the two houses meet in joint convention in the hall of the house of representatives at the hour of 1 p. m. to-day, for the purpose of electing a solicitor for the tenth judicial circuit.

Adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER, Feb., 1889.

*Mr. Speaker:*

The Senate has originated and passed the following bills :

s. 153. To provide for and protect trade marks.

s. 141. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

s. 197. To amend sections 1, 2, and 4 of an act entitled an act to prevent, in certain cases, the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight and nine of Hale, approved Feb. 1st, 1879.

s. 178. An act to authorize and empower Louisa W. Henderson, administratrix of the estate of John Henderson, deceased, to purchase lands for estate under sale or sales of same when made under mortgage or mortgages, or deeds of trust

executed to intestate in his life-time, and to sell the land, or any part thereof, so purchased either at private or public sale, and to make good and sufficient deeds of conveyance to same.

s. 162. To protect human life.

s. 187. To amend section 2908 of the Code of Alabama.

s. 117. To prohibit garnishments against the Alabama Insane Hospital in certain cases.

s. 163. To amend section 3625 of the Code.

s. 179. To amend section 157 of the Code.

s. 118. In relation to the admission of insane criminals into the Alabama Insane Hospital.

s. 172. To authorize the governor, in the name of the State, to subscribe and pay for one hundred copies of the 36th volume of the Alabama Reports for the use of the public officers of the State.

s. 180. To amend section 159 of the Code.

s. 97. For the payment of five coupons of class A bonds destroyed by fire.

s. 128. To refund to itinerant dealers in fruit trees, vines and shrubs, who have taken out license to sell fruit trees, vines, etc., and who have acted as drummers, agents, or itinerant salesmen, for persons, partnerships or companies who reside out of the State of Alabama, the amounts paid out by them for their said licenses.

And the president of the senate having signed the following bills, your signature thereto is requested:

s. 107. An act to allow the sheriff of Conecuh county the same fees for public road service as are now allowed under the general laws of Alabama to other sheriffs.

The senate has concurred in the joint resolution relative to the election of a solicitor for the tenth judicial circuit,

And has concurred in the house amendments to

s. 64. To amend section 3792 of the Code.

The senate has amended as therein shown, and as amended has passed the bills,

H. B. 226. To provide for the election of county superintendent of education.

H. B. 469. To fix the compensation of the tax assessor of Montgomery county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The foregoing senate bills were read severally once, and referred to the following committees:

s. 163, 162, 178, 187, to revision of laws.

s. 180, 179, to military.

s. 97, 128, 172, to ways and means.

s. 118, 117, 197, 153, to judiciary.

s. 141, to education.

The consideration of the senate amendment to house bill 226, on motion of Mr. Williams, was postponed till 4 p. m. to-day.

The house concurred in the first senate amendment to house bill 469—yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Hardy, Higgins, Hogue, Johnson, King, Knight, Kyle, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—64.

The house concurred in the second senate amendment to house bill 469—yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Knight, Lay, Ledyard, Lee, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf—68.

#### SIGNING OF SENATE BILLS.

The speaker of the house, in the presence of the house, after its title had been read by the clerk, signed senate bill 107, whose title is set out in the above and foregoing message.

#### INTRODUCTION OF BILLS.

On the call of the counties bills were introduced by :

By Mr. McLendon—

H. B. 753. To provide for the better working of the public roads of the county of Montgomery.

Also,

H. B. 754. To amend section 1681 of the Code.

By Mr. Ledyard—

H. B. 755. To preserve the records of the courts of chancery.

By Mr. Benners—

H. B. 756. To amend an act for the protection of game and animals and birds, in the counties of Hale and Cullman and Greene, approved February 26, 1887, so far as the same applies to Hale county.

By Mr. Parker—

H. B. 757. To repeal an act to authorize the court of county commissioners of Elmore county to erect a bridge across the Coosa river at Wetumpka, and to issue bonds to pay for same.

By Mr. George—

H. B. 758. To locate the regimental headquarters of the several regiments of Alabama State Troops.

By Mr. White, of Geneva—

H. B. 759. To regulate the issuance of licenses for the sale of intoxicating liquors in Geneva county, Alabama.

By Mr. Bevis—

H. B. 760. For the relief of H. McVey Moore, ex-sheriff of Lauderdale county.

By Mr. Wade—

H. B. 761. To incorporate the Walnut Grove College at Walnut Grove, Etowah county, Alabama.

By Mr. Blevius—

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of DeKalb.

By Mr. Cunningham—

H. B. 763. For the relief of Wm. T. Mitchell, tax collector of Lauderdale county, Alabama.

By Mr. Bradley—

H. B. 764. To re-enact sections 3286, 3287 and 3288 of the Code of 1876, so far as it relates to Lamar county.

By Mr. Winston—

H. B. 765. To permit the county officers of Marshall county to deposit the public moneys in their hands in the bank or banks, at Guntersville, for safe keeping.

Also,

H. B. 766. To amend sub-division four of section 629 of the Code.

By Mr. McLeod—

H. B. 767. To increase the jurisdiction of justices of the peace in Clarke county.

By Mr. Kemp—

H. B. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh.

By Mr. Ledyard—

H. B. 769. To amend section 666 (3975) of the Code of Alabama.

By Mr. Knight—

H. B. 770. To prevent stock from running at large in certain portions of Hale and Tuscaloosa counties, approved February 21, 1888, so far as the same relates to beats Nos. 2, 10 and 12, in Hale county, Alabama.

Also,

H. B. 771. To amend section 576 of the Code of Alabama.

By Mr. Adams—

H. B. 772. To incorporate Woodstock Academy, in Bibb county.

By Mr. Bogart—

H. B. 773. To amend an act to establish and incorporate the Scott Academy at Scottsboro, in Jackson county, approved February 16, 1883.

By Mr. Stowers—

H. B. 774. To amend section 3685 of the Code (1886) of Alabama.

By Mr. Porter—

H. B. 775. To prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors within five miles of Free Will Baptist church, Jefferson county, Laodicea church, Jefferson county, Hopewell church, Jefferson county, Union Grove school house, Jefferson Fogsett Mines, Jefferson county, and Morris High School House, in Jefferson county.

By Mr. Clements (by request with notice and proof),

H. B. 776. To authorize Mrs. Joan R. Vance, widow of Jno. M. Vance, deceased, to sell certain lands in Bibb and Tuscaloosa counties, belonging to said estate of Jno. M. Vance, deceased, at private or public sale.

By Mr. Lay—

H. B. 777. To provide for a record of the lands which have been, or may hereafter be granted to the State by the United States and the disposition thereof.



The foregoing bills were severally read one time and referred to appropriate committees, as follows :

- H. B. 771, 769, to public printing.
- H. B. 761, 753, to public roads and highways.
- H. B. 773, 772, to education.
- H. B. 766, to ways and means.
- H. B. 756, 770, to agriculture.
- H. B. 777, to federal relations.
- H. B. 763, 760, to accounts and claims.
- H. B. 767, 765, 764, 762, 755, to revision of laws.
- H. B. 776, 774, 768, 757, 754, to local legislation.
- H. B. 758, to military.
- H. B. 759, 775, to temperance.

#### JOINT CONVENTION.

At 12 o'clock m. the senate entered the hall of the house of representatives to elect, by joint ballot of the two houses of the general assembly of Alabama, a solicitor for the 10th judicial circuit of the State.

The joint convention was called to order by the president of the senate, who directed the secretary of the senate to call the roll of the senate.

The following senators answered to their names, being a majority of the senate of Alabama, viz.:

Messrs. President, Almon, Branch, Brewer, Bulger, Burnett, Clanton, Compton, Godfrey, Graham, Handley, Hayes, Inge, Milner, Parker, Rice, Rumph, Skeggs, Smith, Stallworth, Steagall, Tayloe, Williams—23.

The speaker of the house directed the clerk of the house to call the house roll, when the following members answered to their names, being a majority of the house of representatives of Alabama, viz :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel,

Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Waters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

The president announced that there being a quorum of the general assembly of Alabama present, the convention was ready to proceed with the election of a solicitor for the 10th judicial circuit of Alabama, and that nominations were in order.

Mr. Lowe placed in nomination for solicitor of the 10th judicial circuit of Alabama, Hon. Chas. W. Ferguson, of Jefferson.

Those who voted for Mr. Ferguson, are, of the senate :

Mesers. President, Almon, Bulger, Burnett, Clanton, Compton, Cowan, Godfrey, Graham, Handley, Hayes, Inge, Milner, Parker, Parks, Rice, Rumph, Skeggs, Smith, Stallworth, Steagall, Tayloe, Waddell, Williams—25.

And of the house :

Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Williams, Winston, Woolf, White of Geneva—81.

The speaker of the house then proclaimed that Hon. Charles W. Ferguson, of Jefferson, having received a majority of all the votes cast for solicitor of the 10th judicial circuit of Alabama, was duly and legally and constitutionally elected solicitor for the 10th judicial circuit of the State of Alabama, for the time prescribed by law.

The president of the senate then announced that the object of the joint convention having been accomplished, the convention was dissolved. The senate then returned to the senate chamber, and the house proceeded with the regular order of business.

#### REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably to the bills—

H. B. 603. To ratify, approve and confirm the numbering of the sections of the Code of 1886 as printed.

H. B. 594. Concerning sites for light-houses and other aids to navigation.

H. B. 504. To establish a city court for the city of Anniston, Alabama,

With substitute.

H. B. 607. To establish the law and equity court of Tuscaloosa.

On motion of Mr. Hogue—

H. B. 257. To confine the jurisdiction of justices of the peace in criminal cases to their respective precincts;

Was taken from the adverse calendar, read a second time, and placed on the calendar.

Mr. Lee, from the committee on public health, reported favorably to the bill,

H. B. 609. To amend section 1305 of the Code.

Mr. Lee, from the committee on temperance, reported favorably to the bills,

H. B. 610. To prohibit the sale of alcoholic, vinous or malt liquors, or other intoxicants, within five miles of any coal or iron mine, or coal or iron mining camp along the line of the Sheffield and Birmingham Railroad in Walker county, Ala.

H. B. 572. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages of any description whatever, at or within one and a half miles of the Zion Baptist church in Mobile county.

H. B. 608. To amend section 4038 of the Code of Alabama.

H. B. 583. To prohibit the sale, giving away, or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks, within six miles of the Baptist church at Prairieville, Hale county,

With substitute.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 466. To repeal the act entitled an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7th, 1879,

And the amendments thereto.

H. B. 347. For the better maintenance of the public schools throughout the State,

With amendments.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bills,

H. B. 591. For the protection of land and property against the depredations of live stock in portions of precincts numbers one, two, three, four, five and six, in Autauga county.

H. B. 590. To amend "an act to incorporate the town of Prattville," approved February 19th, 1872.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

s. 150. To amend section one of an act to incorporate the Mechanics Hook and Ladder company of Montgomery, approved January 26th, 1858.

s. 92. To incorporate the Birmingham, Talladega and Eastern Railroad company.

s. 110. To ratify and confirm the incorporation and organization of Tuscaloosa and Castle Hill real estate and manufacturing company, and to declare and define the powers of said company.

H. B. 457. To authorize the mayor and councilmen of the town of Greensboro to issue bonds, to take up the outstanding bonded indebtedness of said town, and to provide sewerage, and water for said town.

H. B. 187. Prescribing how private corporations may increase their capital stock or bonded indebtedness.

H. B. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

s. 134. To provide a new charter for the town of Russellville.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

H. B. 612. To remove disabilities of non-age of Miss Leila O. Crews of Sumter county.

H. B. 584. To amend section one (1) of an act for the preservation of game in Limestone, Cullman and Madison counties, approved, February 26th, 1887.

H. B. 602. To assess and settle the damages sustained by persons in Lowndes county, by the killing or injury of stock by any railroad passing through or in the aforesaid county of Lowndes.

H. B. 569. To prevent the establishing of confectioneries near Antioch, St. Marks and Hickory Level colored churches, in Dale county this State.

s. 195. To amend an act to protect the owners of stock in Clarke county.

Mr. Hundley, from a special committee, reported favorably to the bill,

H. B. 690. To regulate the fine and forfeiture fund of Madison county.

On motion of Mr. Stowers,

s. 113. To prohibit the sale of eatables, confections, drinks, or any other merchandise or goods, at any camp ground, association, or any meeting in this State on Sunday,

Was taken from adverse calendar, read a second time, and placed on the calendar.

The foregoing bills were severally read the second time, and placed on the calendar.

On motion of Mr. Williams, house bill 504 was made a continuing special order for to-morrow at 4 p. m.

On motion of Mr. Denson, house bill 480 was recommitted to the committee on local legislation.

On motion of Mr. Walker, house bill 347 was made a continuing special order for February 7th, after reading of the journal, and 200 copies were ordered to be printed for the use of the house.

On motion of Mr. Blevins, house bill 123 and house bill 124, were recommitted to the committee on revision of laws.

On motion of Mr. Carter, house bill 381 was made a continuing special order for this afternoon at 5 o'clock.

#### RESOLUTION.

On motion of Mr. Ledyard the following resolution was adopted:

*Resolved*, That the senate be invited by the house to seats on this floor on Friday at 12 m., to hear the address of Hon. J. L. M. Curry.

The hour of 1:30 p. m. having arrived, the house stood adjourned until 3:30 p. m. to-day.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee,

Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rat-tray Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—94.

#### LEAVE OF ABSENCE

Was granted to Messrs. Denson and Wiley for to-day.

#### RECONSIDERATION.

On motion of Mr. George, by unanimous consent, the vote by which the house concurred in the 2d senate amendment to H. B. 108 was reconsidered.

On motion of Mr. Miller, the house non-concurred in the 2d senate amendment to H. B. 108.

On motion of Mr. McRee, the special order for this hour, the consideration of senate amendments to H. B. 226, was postponed and made the special order for to-morrow, at 4 p. m.

#### SPECIAL ORDERS.

##### *First.*

H. B. 421. To make an appropriation for the expenses of encampments of Alabama State Troops, for the years 1889 and 1890.

Mr. Bogart offered the following amendment:

Amend by striking out 22,000, where it occurs, and insert 15,000; and strike out 11,000, wherever it occurs, and insert 7,500.

Mr. Paine moved to amend Mr. Bogart's amendment by substituting 20,000 for 15,000, and by substituting 10,000 for 7,500.

Lost.

Mr. Bogart's amendment was lost.

Yeas 36, nays 47.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cunningham, Curtis, Darby, Dykes, Files, French,



Hampton, Higgins, Johnson, King, Mancill, Maley, McElvey, Nelson, NeSmith, Powell, Rattray, Sowell, Summers, Wade, Walker, Weaver, Winston, White of Geneva—36.

Nays—Messrs. Speaker, Clements, Cochrane, Cornelius, Dark, Dupree, Fitzpatrick, George, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Ward, Wat-Webb, Woolf—47.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 53, nays 34.

Yeas—Messrs. Speaker, Brown, Clements, Cochrane, Cornelius, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Meador, Miller, Moseley, McElderry, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Russell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watters, Webb, Woolf—53.

Nays—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Carter, Clark, Cunningham, Curtis, Darby, Dykes, Files, French, Higgins, Mancill, Maley, McElvey, McLendon, Nelson, NeSmith, Powell, Rattray, Simmons, Summers, Ward, Watson, Weaver, Winston, White of Geneva—34.

### *Second.*

H. B. 381. To regulate the taking up and impounding of stock owned by parties residing in non stock districts of Pike county, that may be taken up in stock districts in Pike, and adjoining counties.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 68, nays 2.

Yeas—Messrs. Adams, Allen, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Longshore, Maddox, Meador, Miller,

Moseley, McElderry, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—68.

Nays—Messrs. Bourdeaux, McLendon—2.

By leave,

Mr. Pettus called up—

H. B. 613. To provide for the times of holding the circuit courts in the sixth judicial circuit of this State.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 73, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Weaver, Webb, Winston, Woolf, White of Geneva—73.

By leave,

Mr. Nelson called up—

s. 23. To incorporate the Anniston and Montgomery Rail Road Company, and to further the connection of said railroad.

The bill was ordered to a third reading, read the third time at length and passed.

Yeas 70, nays 10.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Weaver, Webb, Williams, Woolf.—70.

Nays—Messrs. Bolton, Dykes, French, Higgins, Kemp, Russell, Summers, Watson, Winston, White of Geneva—10.

Mr. Winston, moved to make H. B. 244, a continuing special order for Friday, February 8th, after reading of journal ;

Which, on motion of Mr. Cunningham, was laid upon the table.

On motion of Mr. McElderry, H. B. 420, was made the special order for to-morrow after the reading of the journal.

On motion of Mr. Shorter, Mr. Pettus, in the chair, H. B. 166, was made a continuing special order for Monday next, after H. B. 225 shall have been disposed of.

Mr. Shorter moved to substitute on the calendar, H. B. 422, for H. B. 166, and put it on its passage—lost.

On motion of Mr. Adams, at 5:45 p. m. the house adjourned until 10 a. m. to-morrow.

## TWENTY-NINTH DAY.

### HOUSE OF REPRESENTATIVES,

Friday, February 1, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Howell of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—96.

Journal of yesterday, was read and approved.

## RESOLUTION.

Mr. Bradley offered the following resolution :

*Resolved*, That the roll of the counties be called, and that each member be allowed to call up one bill on the calendar and put it on its passage ; and when the roll shall have been completed the first county on the roll shall again be called, and so on. *Provided*, That discussion on local bills shall be limited to ten minutes, after which the bill goes back on the calendar.

Adopted.

## SPECIAL ORDERS.

*First.*

H. B. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State Agricultural Society, approved February 22, 1887.

Mr. Carter, moved to amend the bill by striking out "five thousand," wherever these words occur in the bill, and inserting in lieu thereof "two thousand."

Mr. Wiley moved to amend Mr. Carter's amendment by striking out two thousand dollars, and inserting in lieu thereof four thousand dollars.

Lost.

Mr. Ward moved to amend Mr. Carter's amendment by striking out two thousand dollars and insert in lieu three thousand dollars.

Mr. Wade moved to table both amendments.

Lost.

Mr. Ward's amendment was lost and Mr. Carter's amendment was lost.

Mr. Wiley offered the following amendment to the bill: "Provided, the State Fair is held at the State Capital."

Which, on motion of Mr. Nisbet, was laid on the table.

Yeas 64, nays 13.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Billingslea, Bogart, Bolton, Boudeaux, Bradley,  
Brown, Clark, Cornelius, Cunningham, Curtis, Dupree,  
Files, French, Hampton, Henderson, Higgins, Hundley,  
Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Longshore,  
Lowe, Maddox, Maley, Meador, Miller, McElderry, McElvey,  
McLendon, McLeod, McRee, NeSmith, Nisbet, Patton, Por-  
ter, Posey, Powell, Rattray, Sowell, Smaw, Smisson, Smith,

Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—64.

Nays—Messrs. Carter, Darby, Dark, Fitzpatrick, Hardy, Hogue, Mancill, Mosely, Nelson, Paine, Rabb, Wiley, White of Geneva—13.

The bill was read the third time at length and passed—yeas 48, nays 37.

Yeas—Messrs. Speaker, Benners, Bevis, Bolton, Clements, Cornelius, Cunningham, Curtis, Files, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Longshore, Lowe, Maddox, Maley, Meador, Miller, McElderry, McLendon, Nelson, NeSmith, Nisbet, Porter, Posey, Powell, Pratt, Rattray, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Watson, Watters, Webb, Williams, Woolf, White of Dallas—48.

Nays—Messrs. Allen, Arrington, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Darby, Dark, Dupree, Dykes, George, Hardy, Kemp, King, Kyle, Lee, Lewis, Mancill, Moseley, McElderry, McLeod, McRee, Paine, Parker, Patton, Rabb, Simmons, Smaw, Tatum, Ward, Weaver, Wiley, Winston, White of Geneva—37.

*Second.*

H. B. 217. To provide for and regulate the pay of State's witnesses in Tuskaloosa county.

The bill was read the third time at length and passed—yeas 80, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—80.

Mr. Wiley moved that the clerk of the house request the senate to return senate bill 30 to the house.

Carried.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate requests the return of house bill 277,  
And has adopted a joint resolution relative to the address of  
Dr. J. L. McCurry,

And has originated and passed the bills,

s. 204. To amend the charter of the Mobile Street Railway  
Company, and to confirm the franchises granted to and the ob-  
ligations entered into by, and the contracts made with said  
company.

s. 232. To incorporate the Marion Military Institute in  
Marion, Perry county, Alabama.

And ordered the same forthwith to the house without en-  
grossment;

And has passed,

H. B. 459. To amend section (10) ten of an act entitled an  
act to incorporate the inhabitants and territory formerly em-  
braced within the corporate limits of the municipal corporation  
(since dissolved) styled the City of Selma, and establish a local  
government therefor.

H. B. 153. To amend an act to amend and extend the char-  
ter of the Mobile Mutual Insurance Company, approved Feb-  
ruary 6, 1866, and to change the name of said company; and  
to amend an act entitled an act to amend an act entitled an act to  
incorporate the Mobile Mutual Insurance Company, approved  
Feb. 4, 1867; and to amend an act entitled an act to amend an  
act entitled an act to incorporate the Mobile Mutual Insurance  
Company, approved Feb. 6, 1866; approved August 11, 1868,  
which last act was approved Feb. 17, 1885.

H. B. 45. To incorporate the "Farmers Alliance Exchange  
of Alabama."

H. B. 229. To amend an act entitled an act to prevent stock  
from running at large in the several beats in Chambers county,  
and to authorize an election thereon, approved December  
10, 1886.

And has amended as therein shown, and as amended has  
passed,

H. B. 140. To amend section 4053 of the Code of Ala-  
bama.

W. L. CLAY,  
Secretary.



## SENATE MESSAGES.

The senate bills whose titles are set out in the above senate message were severally read one time and referred to appropriate committees as follows:

s. 204, to corporations.

s. 232, to military.

The senate amendment to house bill 140 was concurred in—yeas 63, nays 4.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bush, Blevins, Bradley Brown, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree, Files, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Knight, Ledyard, Lewis, Longshore, Maddox, Maley, Meador, Miller, Mosely, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Pratt, Ratray, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—63.

Nays—Messrs. Bogart, McLendon, Rabb, Winston—4.

The senate joint resolution, in relation to Hon. J. L. M. Curry, was concurred in.

## REPORTS FROM STANDING COMMITTEES.

Mr. White, of Dallas, from committee on appropriations, reported favorably to the bills:

H. B. 697. For the relief of S. H. and W. S. Askew, of Marengo county.

H. B. 644. To provide for repairing and furnishing the capitol, and improving the capitol grounds.

H. B. 122. For the relief of Wm A. Jones of Selma, Alabama.

Mr. Lay, from committee on ways and means, reported favorably, with an amendment,

H. B. 486. To amend sections 463 and 529 of the Code.

Mr. Pettus, from the judiciary committee, reported favorably to the bills:

H. B. 627. To regulate the assessment of property after the completion of his sittings by the tax assessor of Barbour county.

H. B. 648. To provide for the service of process in real actions where the defendant secretes himself.

H. B. 685. To amend sections four and eight of an act

entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888.

H. B. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome and Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

s. 191. To regulate and fix the time of opening courts in the third and fifth judicial circuits in the State of Alabama.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills—

H. B. 575. To give the courts power to order the production of books or writings in actions at law.

H. B. 573. To amend section 2124 of the Code.

H. B. 570. To amend an act to prohibit stock from running at large in beats numbers 4, 5 and 6, and the southern parts of beats numbers one and three, and the western part of beat number seven, in Macon county, Alabama, and to provide for the establishment of districts in other parts of said county in which stock shall not be permitted to run at large, approved February 5th, 1883, and amended February, 1885.

H. B. 605. To repeal an act regulating the sale of seed cotton in Brush creek beat, Perry county.

H. B. 586. To amend section 4870 of the Code of 1886, so far as the same relates to Limestone county.

H. B. 624. To amend sections one and two of an act entitled an act to incorporate the Southwestern railroad company, approved January 21, 1860.

H. B. 682. To relieve Jesse H. Thompson, of Macon county, of the disabilities of non-age.

H. B. 681. To constitute the town of Tuskegee a separate school district, and to prescribe the boundaries of said district.

H. B. 699. To amend section 1434 (1670) of the Code.

H. B. 700. To authorize the county treasurer of Marshall county to register certain claims against the fine and forfeiture fund of said county.

H. B. 705. To amend an act to incorporate the Birmingham, Mobile & Navy Cove Harbor Railway Company, approved February 28, 1887.

H. B. 707. For the relief of the Columbus Insurance & Banking Company of the State of Mississippi.

H. B. 683. To repeal an act approved February 28, 1887, to prohibit the sale, giving away, or disposing of any vinous, spirituous, or malt liquors, or intoxicating bitters,

beverages, or drinks, or fruits, preserved in alcohol or alcoholic liquors, in the county of Montgomery, and other places mentioned in said bill (including beat 33, known as Society Hill beat, Macon county, and Tuskegee beat, Macon county) so far as the same relates to the town of Tuskegee, and to authorize the town council of said town to grant license for the sale of vinous, spirituous, or malt liquors, within the corporate limits of said town.

H. B. 718. To amend section 3210 of the Code.

H. B. 717. To amend section 3215 of the Code.

H. B. 716. To amend section 3217 of the Code.

H. B. 720. To provide for the election of commissioners of roads and revenue for Randolph county.

H. B. 655. To authorize the widow of Jas. M. Bullock, deceased, to administer his estate in Mobile county upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

H. B. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph and Shelby counties.

H. B. 706. To fix the fees and charges for impounding animals in the city of Mobile.

H. B. 738. To amend section 491 of the Code of Alabama.

s. 174. To declare Thomas W. Shrader, a liner between the counties of Chilton and Shelby, a citizen of the county of Chilton, and to change the line between said counties.

s. 184. To repeal an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1st, 1881, so far as said act relates to beat number one of Chilton county.

On motion of Mr. Porter—

H. B. 367. For the relief of Wm. P. Hickman, late county treasurer of Jefferson county,

Was taken from adverse calendar and read a second time.

On motion of Mr. Clements—

H. B. 415. To prevent hunting and fishing on lands after the owner thereof shall have forbidden the same, by notice posted on land or by publication in a newspaper.

Was taken from the adverse calendar and read a second time.

On motion of Mr. Stansel,

H. B. 66. Enabling mortgagors to waive the statutory right of redemption,

Was taken from the adverse calendar and read a second time.  
On motion of Mr. Summers,

H. B. 336. To amend sub-division nine, of section 451 of the Code,

Was taken from the adverse calendar, and read a second time.

Mr. Hundley, from a special committee, reported favorably to the bill,

H. B. 685. To amend sections four and eight of an act entitled an act to establish a new charter for the city of Huntsville.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

s. 86. For the removal of the State normal school and university for colored students from Marion, Perry county, to change its name to the State normal school for colored students, and to provide for the control and maintenance of the same.

H. B. 631. To incorporate the Noble institute.

H. B. 651. To establish the Central Institute school district in Elmore county.

H. B. 714. To establish a school district in Morgan county known as Woodland Mills school district.

H. B. 531. To create a board of education for the city of Bessemer, and to prescribe the powers and duties of the same.

s. 186. To revoke and nullify the charter of the town of Collegeton in Talladega county, Alabama.

H. B. 541. To amend an act entitled an act to establish a normal school for the education of white male and female teachers at Troy, in Pike county, Alabama.

H. B. 598. To form a separate school district in Talladega county to be known as Chinnabee school district.

s. 81. To amend an act "to incorporate Rockford High School."

H. B. 600. To form a separate school district in Talladega county, to be known as Ironaton School district.

H. B. 693. To form a separate school district within the bounds therein named in the county of Madison, and to provide for the distribution of the public school funds in said district.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably to the bills,

H. B. 432. To protect laborers and persons who furnish material for the construction of railroads.

s. 160. To regulate the lighting of bridges over navigable rivers in this State.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

H. B. 733. To incorporate the Jasper Trust company,  
(With amendment).

H. B. 30. To confirm, amend, and enlarge the charter of the magnetic ore company.

H. B. 622. To incorporate the city of Jenifer, Alabama..

H. B. 653. To incorporate the town of Alco, in the county of Escambia, and State of Alabama.

H. B. 601. To annul and vacate the incorporation of Broken Arrow, in St. Clair county, Alabama.

H. B. 664. To amend the charter of the Elyton Land company, a corporation organized under the general incorporation laws of this State.

s. 188. To amend section five of an act entitled an act to incorporate the Lomax Fire Engine company No. 4, of the city of Montgomery, approved January 30th, 1871.

s. 133. To authorize private business corporations incorporated under the laws of this State, to hold stockholders and directors meetings, and do corporate acts in other States of the Union.

H. B. 409. To amend the charter of the People's Savings Bank, a corporation organized in the county of Jefferson under the general laws of the State of Alabama, so as to change its name to the People's Saving Bank and Trust company, and so as to confirm in said corporation, under the name of the People's Savings Bank and Trust company, all the rights, powers and privileges that were vested in it under the name of the People's Savings Bank, and so as to enlarge the powers, rights franchises and privileges of said corporation.

H. B. 746. To amend the charter of the People's Savings Bank, a corporation organized in the county of Jefferson under the general laws of the State of Alabama.

H. B. 735. To ratify and confirm the charter of the Jasper Land company, of Jasper Alabama.

H. B. 563. To incorporate the Savannah, Americus and Montgomery railway company, and for other purposes,  
(With substitute).

H. B. 29. To confirm, amend, and enlarge the charter of the Bessemer Land and Improvement company,  
(With amendment).

H. B. 725. To amend section six (6) of an act of the General Assembly of Alabama, approved 17th February, 1885, entitled an act to incorporate the St. Clair coal company,  
(With amendment).

H. B. 24. To confirm, amend and enlarge the charter of the Bessemer, Iron & Steel Company;

(With amendment).

H. B. 23. To confirm, amend and enlarge the charter of the DeBardeleben Coal & Iron Company;

(With amendment).

s. 183. To amend section 4 of an act entitled an act to incorporate the town of Hartsell, in the county of Morgan, approved February 1, 1879.

s. 199. To repeal an act to raise a fund for the benefit of the fire companies in the city of Mobile.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

H. B. 593. To provide for working the public roads in Cleburne county by taxation;

(With an amendment).

H. B. 646. To declare F. M. Dansby, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

H. B. 630. To lay off the county of Bullock into four commissioners districts.

H. B. 638. To incorporate the Highland Home College in Crenshaw county.

H. B. 677. To provide for the term of office of the tax collector of Lee county;

H. B. 678. To refund to Adolphus Stevens and others taxes improperly collected from them.

H. B. 645. To declare J. T. Caine, a liner between the counties of Perry and Dallas, a citizen of Dallas county.

H. B. 739. To amend sections 533 and 535 of the Code of 1886, so far as the same relates to Wilcox county.

H. B. 604. To amend section six (6) of an act entitled an act to authorize the commissioners court, or court or board of county revenue, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish or abolish districts in which stock may be prevented from running at large.

H. B. 726. For the preservation of game animals and birds in St. Clair and Covington counties,

(With amendments).

Mr. Cunningham, from the committee on accounts and claims, reported favorably to the bills,

H. B. 676. For the relief of the firms of Dewberry, and J. C. Bevis.



H. B. 619. For the relief of W. A. Stephens, sheriff of Cleburne county.

Mr. Hogue, from the committee on fees and salaries, reported favorably to the bill,

H. B. 727. To prescribe the duties and provide for the compensation of the county solicitor for the county of Talladega.

Mr. Johnson, from the committee on counties and county boundaries, reported favorably to the bills,

H. B. 679. To change the name of the town of Brownville, in Lee county.

H. B. 453. To change the county boundary between Covington and Crenshaw counties.

H. B. 736. To authorize the board of county commissioners of Washington county and the board of revenue and road commissioners of Mobile county to re-establish and fix boundary line between said counties.

s. 152. To amend an act to declare Mary S. Boswell and J. T. Boswell, liners between the counties of Pike and Bullock, citizens of Bullock county, and to change the line between said counties, approved February 22, 1887.

s. 170. To amend an act entitled an act for the better protection of the planters in the counties of Marengo, Monroe, Clarke, Choctaw, Pickens, Greene and Talladega, so as to include Baldwin county in the provisions of this bill.

Mr. Longshore, from a special committee of the seventh judicial circuit, reported favorably to the bills,

H. B. 724. To fix the times of holding the circuit courts in the several counties composing the seventh (7) judicial circuit,

(With substitute).

H. B. 723. To authorize the judge of the circuit court to fix by an order, entered on the minutes of the court, the time when the criminal docket may be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

H. B. 722. To prescribe the time and manner of ordering and summoning jurors for an adjourned term of the circuit court, in the counties of Cleburne, Calhoun and Shelby.

The above and foregoing bills were severally read a second time and placed on the calendar.

On motion of Mr. McElderry, a committee of three was appointed to wait upon Hon. J. L. M. Curry and escort him to the floor of the house.

Committee—Messrs. McElderry, Ward and Wiley.

The committee appeared with Mr. Curry and he delivered an address on education to the general assembly.

The hour of 1:30 o'clock p. m. having arrived, the house stood adjourned till 3:30 o'clock this afternoon.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Sowell, Smaw, Summers, Smissons, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—96.

#### LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Denson, on account of sickness.

#### ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 314, 460, 260, 200, 267, and 613.

JOHN V. SMITH,  
Chairman.

On motion of Mr. Hundley, H. B. 685 was made a contin-

uing special order for to-morrow, after reading of the journal.

On motion of Mr. Ward, H. B. 595 was recommitted to committee on ways and means.

#### CALL OF COUNTIES.

Bills were introduced,

By Mr. Wiley, (by request)—

H. B. 778. To authorize the sale of spirituous, vinous, malt liquors, intoxicating bitters, fruits or beverages, within the corporate limits of the city of Greenville, Butler county, Alabama.

By Mr. Hogue—

H. B. 779. To allow the hunting and killing of deer in certain portions of Perry county.

Also,

H. B. 780. To repeal an act entitled an act to define the county line between Dallas and Perry counties, approved December 28, 1868.

By Mr. Lewis—

H. B. 781. For the relief of the tax collector of Mobile county.

By Mr. NeSmith—

H. B. 782. To amend an act entitled an act to incorporate the town of Town Creek, in Lawrence county, Alabama, approved March 8, 1875.

By Mr. Meador, (by request)—

H. B. 783. For the relief of Thos. H. Skinner, S. G. Woolf, C. F. Compton and T. M. Witherspoon.

By Mr. NeSmith—

H. B. 784. To change the name of Minnie Lee Jenkins of Russell county, to that of Minnie Lee Turner.

By Mr. Porter—

H. B. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

Also,

H. B. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

By Mr. Bogart—

H. B. 787. To amend an act entitled an act to incorporate the town of Scottsboro, in the county of Jackson, approved January 20, 1870, and the act amendatory thereto,

approved February 5, 1877, entitled an act to amend section thirteen of an act, approved January 20th, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

By Mr. Watters—

H. B. 788. To provide for the registration and lien of judgments and decrees for the payment of money.

By Mr. Darby—

H. B. 789. To give plaintiff's a lien in garnishment cases.

By Mr. Carter—

H. B. 790. To change the name of the town of Brundidge, Pike county, Alabama.

By Mr. McElderry—

H. B. 791. To incorporate the Trustees of the Indigent Minister Fund of the Coosa River Baptist Association.

By Mr. Weaver—

H. B. 792. To create the town of New Decatur a separate school district, to incorporate the same and define its powers and duties.

Also,

H. B. 793. To release the tax payers of the cities of New Decatur and Decatur, from State taxes for the year 1888.

By Mr. Powell—

H. B. 794. To amend section 4887 of the Code.

By Mr. Summers—

H. B. 795. To compensate persons who present to the county treasurer of Colbert county the scalp of any wolf, wild-cat, catamount or fox, killed or captured within the limits of Colbert county.

Also,

H. B. 796. To amend section 974 of the Code of Alabama. The bills whose titles are above set forth were severally read one time and referred to committees as follows :

To judiciary, house bills 784, 789.

To ways and means, house bills 781, 793.

To corporation, house bills 785, 786, 787, 782, 791, 778.

To education, house bills 792, 796.

To local legislation, house bills 790, 795.

To revision of laws, house bills 780, 779.

To fees and salaries, house bill 794.

To appropriations, house bill 783.

## SPECIAL ORDERS.

*First.*

Consideration of senate amendments to  
H. B. 226. To provide for the election of county superintendents of education for the State,

Was taken up.

On motion of Mr. Pratt the first senate amendment was amended by adding thereto the word "Autauga."

As amended first senate amendment was concurred in—yeas 78, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—78.

Nays—Messrs. McRee, Summers—2.

On motion of Mr. Shorter, Mr. Clements in the chair, the house non-concurred in the second senate amendment to said house bill 226.

*Second.*

H. B. 504. To establish a city court for the city of Anniston, Alabama.

Mr. Williams offered the following amendment to be added to section 9 :

Provided, that the salary of the solicitor of said city court shall be \$1,500 per annum, provided the fees of the office amount to that much, if not, then as much as the fees amount to ; and provided further, that all over \$1,500 shall be paid into the State treasury.

Adopted.

The bill was read a third time at length and passed—yeas 82, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins,

Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Kyle, Lay, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—82.

Nay—Mr. Bourdeaux—1.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate originated and passed the following bills :

s. 216. To amend the charter of the Central City Building and Loan Association, of Selma, Ala.

s. 160. To amend section 1319 of the Code, so far as the same relates to the town of Louisville, in Barbour county.

s. 215. To prohibit the sale of spirituous, vinous or malt liquors in township 17, range 6, east, in Perry county, except within the corporate limits of Uniontown, Perry county, Ala.

s. 181. To make it lawful to sell, give away, or otherwise dispose of, spirituous, vinous and malt liquors on the property fronting on the north side of Monroe street in the city of Montgomery, except in the store fronting twenty-five feet on said street, at the corner of Court street.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bills, whose titles are set out in the above message, were severally read one time and referred to committees as follows :

s. 100, 181, to judiciary.

s. 215, to revision of laws.

s. 216, to corporations.

BILLS ON THIRD READING.

Bills were called up for passage as follows :

By Mr. Pratt—

H. B. 591. For the protection of land and property against



the depredations of live stock in precincts No. 1, 2, 3, 4, 5 and 6, in Autauga county.

The bill was read a third time at length and passed—yeas 70, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Curtis, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElvey, McLendon, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf—70.

By Mr. Tatum—

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

The amendments offered by the committee to insert in body and title of bill the word “Mobile” after “Baldwin,” and to add to section one, “provided gill nets or treshine nets shall not be used to take fish from the rivers, creeks and bayous in said counties,” were adopted.

The bill was read the third time at length and passed—yeas 51, nays 4.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Billingslea, Bush, Blevins, Bradley, Carter, Clements, Cunningham, Dark, Dykes, Files, Hampton, Henderson, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Lowe, Maddox, Maley, Meador, Miller, Mosely, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Pettus, Porter, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Webb, Williams, White of Dallas, White of Geneva—51.

Nays—Messrs. Bolton, Higgins, Kemp, Rabb—4.

By Mr. Shorter (Mr. Pitts in the chair)—

H. B. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Carter, Clark, Cornelius, Curtis,

Darby, Dark, Dupree, Dykes, French, Hampton, Hardy, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Meador, Miller, Mosely, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Tatum, Watson, Weaver, Webb, Winston, White of Dallas, White of Geneva—55.

Also,

H. B. 72. To amend section 134 of the Code of 1886.

Substitute pending.

Substitute was adopted.

On motion of Mr. White of Dallas, the further consideration of the bill was indefinitely postponed.

By Mr. Bush—

H. B. 542. To amend section 2 of an act No. 162, acts of 1882 and 1883, to authorize the Commissioners Court of Barbour county, to establish or abolish districts in which stock may be prevented from running at large.

The bill was read the third time at length and passed—yeas 60, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, George, Hampton, Hogue, Johnson, King, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, McElderry, McElvey, McLendon, Nelson, NeSmith, Paire, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—60.

Nay—Mr. French—1.

By Mr. Adams—

H. B. 237. To confirm, amend and enlarge the charter of the Bessemer Dummy Line Company, and to change the name thereof.

The substitute offered by the committee was adopted.

The bill was read a third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Barnett, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McLendon, Nelson, NeSmith, Parker,

Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, White of Dallas, White of Geneva—67.

The hour of 6 p. m. having arrived, the house stood adjourned till 10 a. m. to-morrow.

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### THIRTIETH DAY.

#### HOUSE OF REPRESENTATIVES,

Saturday, February 2, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Howell of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rat-tray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—96.

The journal of yesterday was read and approved.

#### ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 237, 504, 422, 421, 381 and 20.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills beg leave to report the following correctly enrolled :

H. B. 274. To establish the Belcher School District in Barbour county.

H. B. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

H. B. 91. To authorize the board of Mayor and Aldermen of the city of Jasper, to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water works and the payment of the city's indebtedness.

H. B. 469. To fix the compensation of the tax assessor of Montgomery county.

H. B. 229. To amend an act entitled an act to prevent stock from running at large in the several beats of Chambers county, and to authorize an election thereon, approved December 10, 1886.

H. B. 271. To authorize and require the commissioners court of Crenshaw county, to dispose of moneys arising from fines, forfeitures and convict labor.

H. B. 97. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Bibb, approved February 24, 1887, and to provide for the disposition of certain cases now pending in the county court of Bibb county.

B. M. MILLER,  
Chairman of Committee.

## SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the above and foregoing report from the committee on enrolled bills.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested, viz:

s. 64. To amend section 3792 of the Code.

s. 52. To provide for a mechanical and industrial department in the Alabama institute for the deaf.

s. 20. To amend an act entitled an act to prescribe the term of office of members of the court of county commissioners of Morgan, Cherokee, St. Clair and Cleburne counties, and to fix their compensation, approved February 26, 1887, so far as the same relates to the counties of Morgan, Cherokee and St. Clair.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills, whose titles are set out in the above and foregoing senate message.

#### SPECIAL ORDER.

H. B. 685. To amend sections four and eight of an act entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888.

Mr. Hundley offered an amendment;

Which was adopted.

The bill was read a third time at length and passed—yeas 84, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush,  
Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cun-  
ningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitz-  
patrick, French, George, Hampton, Hardy, Henderson, Hig-  
gins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle,  
Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill,  
Maley, Moseley, McElderry, McElvey, McLendon, McRee,  
Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Powell,  
Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw,  
Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum,  
Walker, Ward, Watson, Watters, Weaver, Webb, Williams,  
Winston, Woolf, White of Dallas, White of Geneva—84.

#### INTRODUCTION OF BILLS.

Bills were introduced:

By Mr. McLeod (with petition and notice of proof),

H. B. 797. For the relief of Joseph W. Cunningham, and Mrs. A. A. York of Clarke county.

By Mr. King (by request),

H. B. 798. To repeal an act to protect fish in the county of Butler, approved February 21, 1887;

Also (by request),

H. B. 799. To constitute the city of Greenville a separate school district, and to provide for the management of the public schools of said district.

By Mr. Benners—

H. B. 800. To better secure payment of fines and costs in criminal cases in the courts of this State.

By Mr. Stone—

H. B. 801. To amend sections 3522, 3523 and 3524 of the Code.

By Mr. Pratt—

H. B. 802. To amend section 3870 of the Code.

By Mr. Cunningham—

H. B. 803. To incorporate the Alabama Loan & Banking Company of Florence, Alabama;

Also,

H. B. 804. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within two miles of Pleasant Valley Baptist church, Centre Star beat, Lauderdale county.

By Mr. Moseley—

H. B. 805. To regulate the waiving of exemptions to personal property by heads of families;

Also,

H. B. 806. To establish a district in Limestone county in which it shall be unlawful to permit hogs to run at large;

Also,

H. B. 807. To provide an additional mode of registration of mortgages, liens and deeds of trust.

By Mr. Higgins—

H. B. 808. To provide for the more efficient working of the public roads in Cullman county;

Also,

H. B. 809. To regulate criminal procedure in Cullman county;

Also,

H. B. 810. To provide for the election of township trustees of public schools by a vote of the people in the counties of Cullman, Blount and Lawrence.

By Mr. Bogart—



H. B. 811. To protect the owners of lands or fences on the waters of Dry creek in the county of Jackson.

By Mr. Cochrane—

H. B. 812. To amend sections 463 and 529 of the Code.

By Mr. Files (with petition),

H. B. 813. To repeal an act entitled an act to prevent the sale, giving away or otherwise disposing of any spirituous, vinous liquors, intoxicating bitters, or any other intoxicating drinks, within the limits of Fayette county, and other places therein named, approved February 17, 1885, on pages 570, 571, 572, 573, 574 and 575, of the Acts 1884-5, so far as the same applies to Fayette county.

By Mr. Clark—

H. B. 814. To repeal an act to provide for the collection of taxes in Marion county, approved December the 2d, 1886; and to elect a tax collector in said county as provided for by law in other counties in the State.

By Mr. Williams—

H. B. 815. To incorporate the Piedmont College.

Also,

H. B. 816. To provide for the assessment of State and county taxes on property within the corporate limits of the city of Anniston.

Also,

H. B. 817. To authorize the commissioners court of Calhoun county to levy a tax, and provide a system of public road-working for said county.

By Mr. Clements—

H. B. 818. To amend section 4031 (4203) of the Code of Alabama.

By Mr. George—

H. B. 819. To provide for the employment of a temporary clerk in the office of the board of inspectors of convicts.

By Mr. Cornelius—

H. B. 820. To amend an act approved February the 8th, 1877, to increase the criminal jurisdiction of justices of the peace and notaries public in the counties of Lee, Madison, Jackson, Clarke, Choctaw, Walker and Marion.

Also (by request),

H. B. 821. To enlarge the jurisdiction of justices of the peace and notaries public in precinct 1, in Walker county.

By Mr. Weaver—

H. B. 822. To authorize the probate judge of Morgan county to make and keep in his office a book of abstracts of the conveyance of real estate.

By Mr. Arrington (with petition, notice and proof),  
H. B. 823. For the relief of Geo. B. Fellows, administrator of the estate of H. D. Fellows, deceased.

By Mr. George—

H. B. 824. To authorize James T. Beck and others to establish a ferry at Ellis' landing on the Alabama river, in Wilcox county, Alabama.

The above bills were severally read one time and referred to appropriate committees, as follows :

H. B. 800, 801, 807, 818, 822, 823, 826, to judiciary.

H. B. 797, 802, 805, 809, 810, 820, 821, 829, 830, to revision of laws.

H. B. 798, 806, 811, 813, to local legislation.

H. B. 808, 817, to public roads and highways.

H. B. 812, 814, 816, to ways and means.

H. B. 799, 815 to education.

H. B. 819, to penitentiary and criminal administration.

H. B. 804, 831, to temperance.

H. B. 803, 825, 827, to corporations.

H. B. 824, to a special committee consisting of members from Wilcox, Dallas and Hale.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 101. To amend a charter for the town of Louisville, in Barbour county.

s. 173. To repeal an act entitled an act to prohibit the sale, giving away or disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors in the county of Montgomery, outside of the corporate limits and police jurisdiction of the city of Montgomery, and other places therein named and known as the "Omnibus bill," approved February 28, 1887, so far as the same relates to within three miles of Palmyra Presbyterian church in Barbour county.

s. 220. To provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile.

s. 231. For the relief of Samuel J. Bolling and Warren R. Thagard, as sureties on the official bond of Jonathan L. Powell as judge of probate for the county of Butler.

s. 192. To establish the city court of Decatur.

And ordered senate bills 192, 220 and 231 to the house without engrossment.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills, whose titles are set out in the foregoing senate message, were severally read one time and referred to committees as follows :

- s. 192, to judiciary.
- s. 231, to appropriations.
- s. 101, 220, to corporations.
- s. 173, to temperance.

#### REPORT FROM STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported the following house bills favorably :

H. B. 650. To regulate petitions for rehearings in the Supreme Court.

H. B. 642. To amend an act to provide for funding and paying the legal debts of Selma, created prior to December 6, 1875, approved December 7, 1888.

With amendment to,

H. B. 649. To amend section 4492 of the Code.

With amendment to,

H. B. 643. To prescribe the mode of notice to administrators, executors, and guardians in certain cases.

H. B. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12, 1888.

H. B. 640. To amend section 8 of an act to incorporate the inhabitants, and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and establish a local government therefor, approved February 17, 1883.

With amendment to,

H. B. 636. To amend section 43 of the Code, so far as the same relates to Coosa county.

H. B. 606. To amend the charter of the Mobile Street Railway company, and to ratify the organization, and to confirm the franchises granted to and the obligations entered into by, and the contracts made with said company.

s. 117. To prohibit garnishments against the Alabama Insane Hospital in certain cases.

s. 153. To provide for and protect trade marks.

H. B. 721. To amend section 3365 of the Code of Alabama, so as to authorize the affidavit to be made by an agent or attorney.

H. B. 696. To incorporate an educational institute in the city of Demopolis, Alabama, under the name and style of the Marengo Military Academy.

H. B. 694. To amend the charter of the city of Faunsdale, Marengo county, Alabama.

H. B. 671. Ratifying, approving and confirming the action of the mayor and board of aldermen of Birmingham in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel buildings a portion of one of the public alleys in the city of Birmingham.

H. B. 666. To provide for the collection of costs in certain cases.

H. B. 665. To amend section 3 of an act entitled an act to provide for the working of the public roads in Jefferson county by contract, and to further regulate the working of the roads in said county, approved February 17, 1885.

H. B. 663. To fix the pay of county commissioners and judges of probate of Jefferson county.

H. B. 652. To empower the township superintendent of township two, of range ten, in Escambia county, Ala., to make title to certain lands

s. 198. To remove the guardianship of Corinne E. Rives, Frank A. Rives, Lula A. Rives, Eloise Rives, Virginia A. Rives, and Walter Rives, from the county of Lowndes to the county of Dallas.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills—

H. B. 704. To amend sections one, three, five and thirteen of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

H. B. 755. To preserve the records of the courts of chancery.

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of DeKalb.

H. B. 576. To repeal section 762 of the Code of Alabama, so far as the same relates to Pike county.

H. B. 764. To repeal sections 3286, 3287 and 3288 of the Code of 1876, as to the counties of Lamar and Macon.

s. 163. To amend section 3625 of the Code.

(With amendment),

s. 162. To protect human life.

s. 187. To amend sections 2908, 3199 of the Code of Alabama.

Mr. Lee moved to take up—

H. B. 635. To enlarge the jurisdiction of justices of the peace in Conecuh county, and to regulate the trial of certain misdemeanors in said county,

From adverse report, and put on the calendar.

Carried.

And the bill was read a second time.

Mr. Watters, from the committee on ways and means, reported favorably to the bills—

H. B. 595. For the relief of A. Sweat of Henry county.

(With amendment),

H. B. 788. To provide for the registration and lien of judgments and decrees for the payment of money.

Mr. Nisbet, from the committee on agriculture, reported favorably to the bills—

(With amendment),

H. B. 656. To define a lawful fence in Hale county, Alabama.

(With amendment),

H. B. 634. To define and prescribe a lawful fence in certain portions of the county of Madison.

H. B. 731. To provide for conducting farmers institutes in the State of Alabama.

On motion of Mr. Clements, H. B. 731 was made a continuing special order for Tuesday next, after reading the journal.

Mr. Clements, from the committee on mining and manufacturing, reported favorably to the bill—

(With amendment),

H. B. 626. To regulate the taking up and confinement of stock running at large in certain stock law districts of Autauga county.

Mr. Miller, from the committee on corporations, reported favorably to the bills—

(With amendment),

H. B. 669. To incorporate the Birmingham Female College.

(With amendment),

H. B. 157. To incorporate the Gulf and Chicago Railway Company, and to further the construction of the same.

s. 87. To authorize members of the different farmers alliance or other organizations of like kind of the State, to organize themselves into a body corporate.

Mr. Lee, from the committee on temperance, reported favorably to the bills—

s. 155. To amend an act entitled an act to prohibit the sale, giving away, or disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the counties of Montgomery and others therein named, approved February 28, 1887, at 11 o'clock and 20 minutes, and known as the omnibus bill.

H. B. 741. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within four miles of Tolbert Baptist church in beat 16, in all directions, in Henry county.

H. B. 759. To regulate the issuance of licenses for the sale of intoxicating liquors in any of the several beats, in Geneva county, Alabama.

H. B. 621. To regulate the granting of licenses to sell spirituous or malt liquors within four miles of Friendship Baptist church in beat 11, in Crenshaw county.

H. B. 775. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors within five miles of Free Will Baptist church, Laodicea church, Hopewell church, Union Grove school house, Fogsett Mines, and Morris High School House, all in Jefferson county.

H. B. 654. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Union Missionary Baptist church near Duck Springs, Bristoe's Creek Missionary Baptist church, and Cove Camp Ground Methodist church, in Etowah county,

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

With a substitute for—

H. B. 754. To amend section 1681 of the Code.

H. B. 660. To allow the people of the county of Jackson to elect their commissioners by a majority of the qualified voters of the respective districts in which they reside.



H. B. 637. To repeal an act to protect domestic animals against camp hunters in Covington county, approved February 9th, 1887.

H. B. 776. To authorize Mrs. Joan R. Vance, widow of Jno. M. Vance, deceased, to sell certain lands in Tuscaloosa and Bibb counties, belonging to said estate of Jno. M. Vance, deceased, at private or public sale, as may be deemed for the best interest of said estate.

H. B. 757. To repeal an act entitled an act to authorize the court of county commissioners of Elmore county to erect a bridge across the Coosa River at Wetumpka, and to issue bonds to pay for same.

Mr. McElderry, from the committee on public roads and highways, reported favorably to the bills—

H. B. 761. To incorporate the Walnut Grove College at Walnut Grove, Etowah county, Alabama.

H. B. 753. To provide for the better working of the public roads of Montgomery county.

The foregoing bills were severally read a second time and placed on the calendar.

• MESSAGE FROM THE GOVERNOR.

By his private secretary, Mr. Jackson.

EXECUTIVE OFFICE,

February 2, 1888.

*Gentlemen of the Senate and House of Representatives:*

I am requested to transmit to you a memorial on the subject of certain bonds of this State, alleged to have been issued under an act approved March 3d, 1870, and in accordance with this request the memorial is herewith transmitted.

THOS. SEAY.

On motion of Mr. Shorter, (Mr. Ledyard in the chair), the governor's message and accompanying memorial were referred to the committee on ways and means.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate recedes from its amendment to—

H. B. 108. To repeal section 1450 of the Code of 1886, so

far as the same applies to Cherokee, Chilton and Cleburne counties;

And has concurred in the conference report on—

s. 137. To amend section 749 of the Code.

And has passed—

H. B. 26. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to an amount not exceeding \$500,000, for the purpose of building and constructing sewers, and making other permanent improvements in said city, paying the floating debt of the city, and paying for cemetery grounds.

And has amended by way of substitute, and as amended has passed—

H. B. 28. To provide for increasing the capital stock of building and loan associations.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to

H. B. 28. To provide for increasing the capital stock of building and loan associations.

Yeas 65, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Billingslea, Bolton, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Lay, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Powell, Pratt, Russell, Simmons, Snaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Geneva—65.

#### RECOMMITTAL.

On motion of Mr. George, house bill 739 was recommitted to the committee on local legislation.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Johnson—

H. B. 390. To amend section 3075 of the Code.

The bill was read the third time at length and passed—yeas 66, nays 3.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Billingslea, Bolton, Blevins, Clark, Cochrane, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Russell, Simmons, Smaw, Stone, Tatum, Walker, Weaver, Webb, Williams, Winston, White of Geneva—66.

Nays—Messrs. Lay, Hundley, White of Dallas—3.

The bill was ordered to the senate without engrossment.

By Mr. Powell—

H. B. 563. To incorporate the Savannah, Americus and Montgomery Railway, and for other purposes.

The substitute offered by the committee was adopted.

The bill was read a third time at length and passed—yeas 75, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—75.

The bill was ordered forthwith to the senate without engrossment.

By Mr. Stowers—

H. B. 630. To lay off the county of Bullock into four commissioners districts.

The bill was read the third time at length and passed—yeas 75, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, George, Hampton, Henderson, Hogue, Hundley, Kemp, Knight,

Lay, Ledyard, Lee, Lewis, Longshore, Maley, Miller, Mosley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Watson, Watters, Weaver, Webb, Williams, White of Geneva—75.

By Mr. King—

H. B. 653. To incorporate the town of Alco, in the county of Escambia, and State of Alabama.

The bill was read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Higgins, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Porter, Posey, Powell, Rabb, Rattray, Simmons, Smaw, Summers, Smisson Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, White of Geneva—64.

Mr. Williams—

H. B. 631. To incorporate the Noble Institute.

The bill was read a third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Rattray, Russell, Simmons, Smaw, Summers, Smith, Stansel, Stone, Stowers, Ward, Webb, Williams, White of Dallas, White of Geneva—66.

By Mr. Maley—

H. B. 553. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within the Fairfield beat, in Pickens county, Alabama.

On motion of Mr. Stone the word "beat" was stricken out wherever it occurs in the title and body of the bill, and the word "precinct" substituted therefor.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Barnett, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cochran, Cunningham, Curtis, Dark, Dupree, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Russell, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, and White of Geneva—59.

By Mr. Maley—

H. B. 598. To form a separate school district in Talladega county, to be known as Chinnabee school district.

The bill was read a third time at length and passed—yeas 70, nays 1.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Clark, Cochran, Cornelius, Cunningham, Curtis, Dark, Dykes, Files, George, Hampton, Henderson, Higgins, Hogue, King, Knight, Ledyard, Lewis, Lowe, Mancill, Maley, Meador, Miller, Mosely, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smisson, Stansel, Smith, Stansel, Stone, Stowers, Wade, Ward, Watters, Weaver, Webb, Williams, White of Dallas, White of Geneva—70.

Nay—Mr. Hundley—1.

By Mr. Rattray—

H. B. 486. To amend sections 463 and 529 of the Code.

The amendment of the committee to strike out the words "one and one-half per cent. on the remainder," where they occur in section one and two, and insert in lieu thereof the words "on all above twelve thousand dollars, one and one-half per cent. up to sixty thousand dollars, or above sixty thousand dollars one per cent. Strike out of section one (1) on second page of the bill, all from and including the words, "but no assessment \* \* \* \* to the end of the section," was adopted.

The bill was read the third time at length and passed—yeas 58, nays 5.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Bevis, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Dark, Dupree,

Fitzpatrick, George, Hampton, Henderson, Hogue, Johnson, King, Kyle, Lee, Lewis, Long, Longshore, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nisbet, Patton, Porter, Posey, Powell, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—58.

Nays—Messrs. Benners, Ledyard, Nelson, Parker, Rattray—5.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m. to day.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Waters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Dykes—

H. B. 317. To repeal an act entitled an act to establish a court of county revenues for Chilton county, approved February 28, 1887.

The bill was read the third time at length and lost—yeas 29, nays 39.

Yeas—Messrs. Adams, Bevis, Bogart, Bolton, Blevins, Clark, Cornelius, Curtis, Dupree, Dykes, French, Henderson, Higgins, Long, Lowe Maddox, Maley, Moseley, McElderry, Nel-



son, NeSmith, Rattray, Simmons, Summers, Smisson Weaver, Webb, Winston, White of Geneva—29.

Nays—Messrs. Speaker, Benners, Billingslea, Bourdeaux, Bush, Bradley, Clark, Cochrane, Cunningham, Dark, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Ledyard, Lewis, Meador, Miller, McLeod, Nisbet, Patton, Porter, Posey, Rabb, Russell, Sowell, Smaw, Smith, Stansel, Stone, Wade, Walker, Watson, Watters, Williams, Woolf, White of Dallas—39.

By Mr. Porter—

H. B. 23. To confirm, amend and enlarge the charter of the DeBardeleben Coal and Iron Company.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Harby, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Porter, Posey, Powell, Russell, Simmons, Summers, Smaw, Smith, Stansel, Stone, Ward, Webb, Woolf—55.

#### INTRODUCTION OF BILLS.

By leave, bills were introduced

By Mr. Lowe—

H. B. 825. To incorporate the Southern Loan and Guaranty Company.

Also,

H. B. 826. To amend an act to establish a charter for the city of Birmingham.

By Mr. Stansel—

H. B. 827. To establish a new charter for the town of Carrollton, Pickens county, and to confer certain powers on the mayor.

Also,

H. B. 828. To compensate clerks of circuit courts for collecting and paying over solicitor's fees.

By Mr. Hogue—

H. B. 829. To amend section 3365 of the Code.

By Mr. Smaw—

H. B. 830. To amend section 3683 of the Code of Alabama.  
By Mr. French—

H. B. 831. To allow the qualified voters within five miles of Scottsboro College and Normal School to hold an election on the question of prohibition of the sale of vinous, malt or spirituous liquors within said limits.

The foregoing bills were severally read one time and referred to committees as follows:

House bill 826, to judiciary.

House bills 828, 829, 830, to revision of laws.

House bills 825, 827, to corporations.

H. B. 831, to temperance.

At 4:10 p. m., on motion of Mr. Pratt, the house adjourned till Monday at 10 a. m.

### THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,

Monday, Feb. 4, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Sellers, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

Journal of yesterday was read and approved.

## ENGROSSED BILL.

*Mr. Speaker:*

The committee on engrossed bills report the following correctly engrossed, to-wit: Nos. 542, 591, 598, 631, 553, 420, 486 and 685.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following bills as correctly enrolled:

H. B. 26. An act to authorize the mayor and aldermen of Birmingham to issue bonds of said city for an amount not exceeding five hundred thousand dollars, for the purpose of building and constructing sewers, and making other permanent improvements in said city, paying floating debts of city, and paying for cemetery grounds.

H. B. 28. An act to provide for increasing the capital stock of building and loan associations.

B. M. MILLER,  
Chairman of Committee.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the above report of committee on enrolled bills.

Mr. Lowe, chairman, submitted to the house the report of the joint committee of the general assembly, appointed to examine into the convict system of Alabama, session of 1888-9, which report was ordered to lay upon the table and five hundred copies to be printed, and same number of copies printed of the testimony taken by said committee, for the use of the house and senate.

## REPORT OF SPECIAL COMMITTEE.

*Be it Resolved by the House, the Senate concurring,* That a Joint Committee be raised to consist of three members of the House of Representatives, and two members of the Senate, to inquire into, and investigate the purposes, methods, and practical operation of the convict system, and to report by bill or otherwise, such changes, reforms, or modifications thereof, as the interest of the State may demand.

*Be it further resolved,* That said Committee may sit during the session of this Body; shall have the right to call for witnesses, and papers, and compel the appearance, and production of the same.

*Be it further resolved,* That said Committee may employ a clerk if necessary: provided the said Committee shall report on or before the 15th day of December, 1888.

*Resolved by the Senate, the House concurring,* That the Joint Committee heretofore appointed, to investigate the convict system and the practice under it, be and is hereby authorized to sit during the recess of the General Assembly, and that said committee be and is hereby instructed to enquire particularly into the matter, and manner of the classification of the convicts.

*Resolved by the House, the Senate concurring,* That the joint committee to investigate the convict system be, and they are hereby instructed to investigate the Penitentiary, examine into its condition and surrounding property belonging to the State Penitentiary—examine as to the number of convicts within the walls, their condition, what therein confined for, by what authority they are within the walls. How many of them are able-bodied; how many are not able to perform hard labor—what employment they are engaged in, if any, and how many are able to do hard labor, and report to this House, with such other information about the Penitentiary as they may deem of importance.

*Resolved by the House, the Senate concurring,* That the joint committee heretofore raised to investigate the convict system be, and are hereby instructed to investigate the hiring of county convicts, and to ascertain, and report whether or not there is, or has been any pool, combination, or arrangement of convict lessees for the purpose of controlling said labor, or affecting the price of the same, and whether or not any state, county, or municipal officer, has violated the law in respect to the hiring of convicts in any respect whatever.

Pursuant to the preceding resolutions, your committee met at the Exchange Hotel in Montgomery, on the 3rd day of December, 1888, and organized with Robert J. Lowe, as Chairman, and Benj. F. Elmore, Clerk.

On the 13th December your committee met at the capitol, and entered regularly upon the performance of its duties.

The committee were engaged for several days in the examination of the laws, and rules and regulations of the Inspectors of Convicts, relating to the penitentiary and the hiring and working of State and county convicts. They called for and obtained from the various State Departments such information as the records thereof contained in refer-

ence to the subjects of inquiry. They also prepared and issued a circular letter to the several probate judges in the State, calling for specific information on various matters within the scope of this investigation. Nearly all of the probate judges responded promptly to these letters, but several remain unanswered.

The committee also called and examined Col. R. H. Dawson, President of Board of Inspectors, relative to the State Penitentiary at Wetumpka. On Thursday morning, Dec. 20th, the committee met at the penitentiary. We inspected the prison and examined quite a number of witnesses. The general appearance of the penitentiary is that the property and grounds have received careful attention. Approaching from the front, the shrubbery and fresh paint present a favorable appearance, and the barns and stables suggest plenty and comfort.

We found confined within the walls 147 convicts—46 of whom are women—all negroes, except three. Of the men, there were—

Mechanics.....	6
Brickmasons.....	5
Blacksmiths.....	2
Hospital Steward.....	1
Hostler.....	1
Servants.....	2
Cooks.....	4

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Making.....21

men in employment about the premises. Of the other 80 men, 12 or 14 are crippled or disabled, and incapable for any work; and the rest were employed in cutting wood, or doing such other work as could be obtained for them, which was but little.

The appearance of most of the convicts confined here indicated that they were well fed and cared for; but they exhibited considerable depression of spirit, and upon being questioned, they usually answered that they were well treated, but preferred being upon a farm. We attribute this sentiment among them to lack of employment. Enforced idleness is the most unsatisfactory of all punishments, lacking all the essentials of reformation.

The cells at this place are deserving of all that Dr. Cunningham, then State Physician, said of them in his report of 1884; and we can not but conclude that it is far from hu-

mane to confine convicts therein, particularly those who are sent there from the mines as disabled or unfit for manual labor. Such convicts could be better cared for, and would be more comfortable at Pratt Mines. Such, in most cases, was the report of State Physician Cunningham in 1884, and from our inspection of Pratt Mines and the hospital there, it seems to us to be emphatically true at this time.

We find that when the Williams and Rouse contracts expired, Dec. 31, 1887, they delivered their convicts to the State at the penitentiary. Upon an inspection of these convicts by the State Physician, Dr. Jones, assisted by Dr. Cunningham, representing the Tenn. C. I. & Ry. Co., such convicts as in their judgment were fitted for work at the mines were sent there; the others were left at the walls. This number has been decreased by deaths and expiration of sentence, and increased by men sent from Pratt Mines, upon the certificate of the State Physician that they were not capable of manual labor. Dr. Jones, the State Physician, is of the opinion that under the contract with the Tenn. Coal, Iron & R. R. Co., when a convict at the mines becomes unfitted for manual labor of value to the Tenn. Coal, Iron & R. R. Co., he is to be removed to the penitentiary walls. This simply makes the walls at Wetumpka a hospital for Pratt Mines, conducted at the expense of the State.

If such a construction of the contract with the Tenn. Coal, Iron & R. R. Co. is correct, we are of the opinion that the contract is an unwise one, from a humane as well as financial standpoint.

But, in the opinion of your committee, this construction is clearly erroneous, and the error has been an extremely expensive one for the State.

Of the 101 men now confined at the walls, we estimate that about 56 men are capable of performing hard labor, fully 80 of the men are capable of doing farm work, and 43 of the women are capable of farm work.

Of these men Dr. Jones testifies that there were thirty or forty whom he thought should be removed to the mines, and while the committee was at the wall, he and Dr. Cunningham, he says were there for that purpose. Col. Dawson objected, on the ground that it might make an unfavorable impression on your committee. Up to this time these men are still at the walls, though it is more than a month since the committee left there. If Dr. Jones is correct in his estimate of the number (other testimony shows about 25



men), then the State has suffered a considerable pecuniary loss by his negligence in not removing these men.

From the testimony of Col. Thos. Williams, Mr. L. D. Rouse and J. W. Pace, it will be seen that the convicts at the walls, capable of farm work, excluding the mechanics and regular workmen before enumerated, can be hired at from \$3.00 to \$5.00 per month. Or that the walls can be cleared of all convicts, excluding the workmen enumerated above, at from \$1.25 to \$2.00 per month.

It is also in testimony by Col. John T. Milner, that for 80 of the men now at the mines he will pay \$12.00 per capita, per month.

Taking into consideration the present lease system, humanity, and the large expense at the walls, amounting to \$21,191.82 (see Inspector's report, 1888, page 266), we are of the opinion that these convict should not be kept at the walls.

We do not think it advisable for the State to purchase any more farms or land adjoining the penitentiary walls, or to work convicts upon shares.

We regret that in our examination at the walls we found the officers there ignorant of the laws and rules applicable to the management of convicts. Some of the convicts had been whipped for most trivial matters, and by persons unauthorized to punish, and no record kept. The punishment book was not kept as required by law, and the efforts to explain this were very unsatisfactory.

Two of the employees, W. J. Sessions, and P. C. Jenkins, your committee promptly reported to Col. Dawson, and he discharged them on 1st of January, 1889, so he reports to the committee.

On December 22nd, the committee adjourned to December 30th.

#### CLASSIFICATION.

On Sunday, December 30th, the committee met at Pratt Mines, to witness the monthly classification of State convicts hired by Tennessee Coal, Iron and Railroad company. Sunday is selected for this purpose by the Inspectors, as on that day the prisoners are all in the cells, and can be brought before the Inspectors without interfering with their work or the company.

The Tennessee Coal, Iron & Railroad Company hire both State and county convicts, but only the State prisoners are

classed. We were informed, however, that the company endeavors to task the county men as nearly as possible on the basis established for State men. In the classification of the men, the State is represented by the Inspectors—one or more of them being present—and the State physician; and the contractors are represented by the superintendent, the company physician and warden. The process is as follows: A name is called, and the present task ascertained from the records. If the convict or the company desire to decrease or increase the task, the Inspectors hear from the mine boss, warden and the physician, and then decide. If, however, no objection is made the task remains as before.

State convicts, under the present contract, are divided into five classes. Those working in mines are classed solely upon their ability to cut and load coal, whether or not they are actually engaged at that work. First class—Those able to cut and load four tons. Second class—three tons. Third class—two tons. Fourth class, or “dead heads”—one ton. Fifth class—those unable to work in mines, but capable of performing manual labor.

The classification of these men actually engaged in cutting coal can work no hardship to the State. The contractor can better afford to pay for a higher class man than for a lower class. For instance, the contractor pays \$18.50 for a first class man, who is required to get four tons per day, or 104 tons per month. For a second class man, who gets three tons per day, or 78 tons per month, he pays \$13.50. The cost of maintenance is the same. These mines pay to free labor 45 cents a ton. Thus the first class man earns \$46.80 per month, and the second class \$35.10, the difference in cost to the contractor is \$5.00, or the difference between \$18.50 and \$13.50. The contractors insist upon this proportion, and it is entirely true, with this important limitation, viz: That it is to their interest to class the men as low as is consistent with their desire to get out the full capacity of the mine. For instance—say the mine has a capacity of 800 tons per day, and there are 400 convicts to work therein; the contractor then desires the lowest classification that will produce the 800 tons. But in coal mining not over (3-5) three-fifths of the men employed are actually engaged in cutting and loading coal. The others are engaged on the surface as carpenters, blacksmiths, dumpers, &c., and in the mines as trammers, track-layers, door-keepers, drivers, &c.

In some of these places as much strength is required and more intelligence and skill than in cutting coal.

The convicts assigned to work, other than cutting coal, are not "tasked according to their class," but each is required to do the full work of the place to which he is assigned. The contractor gets the better of the State, when, as often happens, an inefficient coal cutter is classed and paid for on the basis of his ability to cut coal, but is put at work in or out of the mines in which he is proficient and at which his services are more valuable to the company than are those of a first class coal cutter. The work done by "dead-heads" about a mine is indispensable, and the testimony of the warden shows that this company have not as many "dead-heads" as they need. The contract perhaps allows this arrangement, but the Code (Criminal) section 4647, reads as follows: "But no convict shall be classed unless worked at an occupation at which the *task* can be apportioned to the class."

We append hereto a tabular statement of the classification for each month since the making of the present contract.

#### PRISONS.

On the 1st day of January, 1889, there were on hand 799 State convicts, 655 with the Tennessee Coal, Iron and Railroad Company at Pratt Mines, and 144 in the walls at Wetumpka.

There were also on hand about 829 county convicts as follows :

#### NUMBER OF COUNTY CONVICTS JANUARY 1, 1889.

Milner Coal and Railroad Company, New Castle, 151.  
 L. H. McCurdy & Bro., Lowndesboro, 37.  
 Irwin & Smith, Autauga, 5.  
 R. A. Hardie, Perry County, 25.  
 Sloss S. & I. Co., Coalburg, 293.  
 Tennessee C. & I. & R. R. Co., Pratt Mines, 177.  
 Milner, Caldwell & Flowers, Bolling (about) 30.  
 J. M. Lovelace, Jefferson (about) 40.  
 W. D. McCurdy, Lowndesboro, 4.  
 Hammock & Collins, Montgomery, 9.  
 J. W. Pace, Chambers (about) 9.  
 Thos. Williams, Elmore, 9—making a total of 789.

There are hired in counties of conviction to different individuals in such counties about 40—making in all about 829.

These figures were obtained from the records in the office of the Inspector of convicts, and of course, vary from day to day. Since this date Hammock & Collins have surrendered their contract, and the convicts held by them—nine in number, from Montgomery county—have been transferred to the Sloss Iron and Steel Company at Coalburg. The same is true of the Autauga county convicts. It was impossible for the committee to visit each camp. They did visit New Castle, Coalburg, and the two prisons at Pratt Mines.

There are certain rules and regulations that these places have in common. The men are required to rise in the morning about day-break. They then breakfast. Each man finds upon his plate his allowance for breakfast and dinner. What he leaves from breakfast he is allowed to take with him into the mines for dinner. The contractors are required to furnish each convict a tin bucket for this purpose. Some of the men have no buckets, and therefore have to go without dinner. We saw at some of the mines, men going in and coming out barefooted and insufficiently clad. Naturally the explanations of these things offered by the contractors and the convicts respectively rarely tallied, and were unsatisfactory to the committee. The same system of punishment—whipping with a leather strap—is observed at each place. The rules of the Inspectors require a complete record to be kept showing date of punishment, cause, and extent thereof. These records show that an immense amount of whipping is done, though much less at "Slope No. 2"—one of the prisons at Pratt Mines—than at any other prison. Nearly all the whipping is for failure to get task, or for getting slate or rock in the coal.

The system of working in the mines is usually to put from two to four men together, and require of them an aggregate amount of coal. The theory is, that the one who fails to do his part, is punished. But as we found it—the practice is to punish all.

Those who work on the "day shift" are allowed to come out of the mines when they finish their task. The men are called out at four o'clock, but those who have not finished their task by that time are allowed to remain. Thus the men are coming out at all hours of the day. As they come

out, they go into the bath room, bathe and put on their cell suits, and go to their cells.

The "night shift" are all required to remain in the mines until about sun-rise. The Saturday "night shift" are by this rule, kept in the mines until sun-rise on Sunday morning.

The necessary work on Sunday, such as minding the pumps, &c., is voluntary, and the men receive pay for performing it.

The contractors—the men to whom the State and counties hire their convicts—have as little to do with the management and treatment of the men, and perhaps know as little about it as people on the outside. This duty and responsibility is devolved upon their employees, who are entrusted with full authority.

When a convict complains of being sick, he is usually examined by a physician before he is sent to work. If he complains after entering the mines he is sent to the surface. This general rule is not always observed. Sometimes the man in charge of the convicts decides this question upon his own judgment. Among the witnesses examined were several convicts in every prison. Some of them affected to be unwilling to testify, from fear of the consequences if it should be known that they had given information. For this and other reasons, we have condensed the testimony of this class of witnesses and omitted their names.

Your committee saw many cases of seeming violations of the laws and regulations relating to the management of convicts. The authority of the Board of Inspectors to correct these abuses is ample.

#### COALBURG.

On the 8th day of January, 1889, the committee visited the prisons of the Sloss Steel and Iron Company at Coalburg. This company works about two hundred and ninety county convicts, but has no State convicts. The prison is new and commodious and well arranged for the safe keeping and comfort of the convicts. It is built in the shape of a square, with a court in the centre, around which is a covered gallery or stoop. Into this square the inmates are turned for fresh air and sunshine on Sundays. This can be done with safety, as the cells open upon it, and the exits are easily guarded. This is a feature worthy of men-

tion in a mining prison, as the men go into the mines before the sun rises and but few come out before it sets, and when they do get out sooner, are required to go at once to their cells. This is the only mining prison in the State where convicts are worked, that affords opportunity to this class for any open air exercise or recreation. There are many convicts in the coal mines in this state who have not seen the sun shine for months. The convicts here are well fed and well clad. The system of classification is not known here, and the men are tasked by the contractors. The task therefore is heavier than at Pratt Mines. It is probably true that not so many tons are required as a day's task, but the seam of coal is thinner, and therefore more difficult to be mined. Failure to perform the task set, is punished by whipping, in the absence of a "good excuse," and the length of the punishment list would seem to indicate that the excuses are rarely good. At this prison, as at all the others, the men are required to sleep two in a bunk. Each man should be allowed to sleep alone. We went through the mine under the guidance of the superintendent. It is what is termed a "drift mine," and is well drained and well ventilated. There is probably no healthier or safer mine in the state.

The hospital is well arranged. The company have a resident physician employed who visits the prison daily.

#### NEW CASTLE.

On the 9th day of January, 1889, your committee went to New Castle, arriving there about twelve o'clock, noon, and remained until three o'clock p. m. of the next day. We examined many witnesses, including managers, guards and convicts. We also went into the mines and saw some of the men at work.

This mine is a "slope" and is wetter than any other mine where convicts are worked, and the main entry was full of escaping steam and extremely warm. The vein of coal is thinner than the vein at Coalburg or Pratt Mines, and is more difficult to mine. Perhaps two tons of coal can be gotten at Pratt mines with as little labor as one at New Castle. We did not see this mine under favorable circumstances, as the pumps had got out of fix the day before our visit. The ventilation, so far as your committee could judge, is good.



The prison is secure, but does not compare favorably in comfort and cleanliness with the prisons at Coalburg and Pratt Mines. The same may be said of the hospital.

The interior arrangements are on the usual order. There are two "cells" extending the length of the buildig, separated by a hall, which is used as a dining room for the convicts, and head-quarters for the guards. The "cell" on the left, as you enter, is occupied by negro convicts. The "cell" on the right is divided into two compartments. It might more properly be termed two cells. The front compartment is occupied by whites; the other by negroes.

The convicts here are fed with the usual prison diet and in sufficient quantity. The same rule applies here as at the other prisons, viz.: Each convict is given two rations at breakfast, one of which he can carry into the mine for his dinner, if he sees proper, provided the convict has a bucket in which to carry it, which is not always the case.

On investigating the "punishment book" at this place we found the record of whipping larger in proportion than at any prison in the State and very severe. The bathing facilities are good and the death rate much lighter than at any other prison.

We cannot speak favorably of this place in respect to the clothing of the convicts either as to quantity or cleanliness. A convict has here two suits, composed of a shirt and pants each. One is for cell wear and sleeping in. This suit is marked at varying intervals. The other suit is used in the mines and is worn until it can be worn no longer. It is never washed and very seldom dry. It is taken off when the convict comes from work to the bath house, nearly always wet. After bathing, the cell suit is put on and the mining shirt and pants left in the bath house to be put on next morning.

We saw here some convicts working without shoes. The rule is to give a pair of shoes once in three months. If they wear out sooner the convict goes without, unless he asks for more, when he gets another pair, accompanied with a whipping. This applies to coal cutters in the mines.

Socks and under-clothes are not known at this prison, unless sent by friends outside or brought by the convict.

In explanation for the whipping of the convicts when they ask for shoes or buckets it was stated that the

convicts would dispose of their shoes and buckets to the free miners.

Your committee saw men at work here who ought not to have been required to work. There was one instance of whipping that came to our knowledge here that was unnecessarily severe. There should be a close inspection of this camp.

#### PRATT MINES.

The committee returned to Pratt Mines on the 15th day of January, and made an examination of the convicts, the prisons and the mines. There are two prisons here and two mines in which the convicts are confined and work. The old prison at "slope No. 2," is secure, reasonably comfortable and apparently in good sanitary condition. About four hundred convicts are confined here. They have enough to eat and to wear, and are evidently as well treated as in their condition, could be expected. The punishment record here is smaller by a hundred per cent at least, than at any other prison in the State, and yet the warden says that he has no trouble in getting the task assigned the men.

This mine is, as the name indicates, what is known as a "slope mine." It seems to be perfectly ventilated, and, although a good deal of water runs into the mine, it is kept comfortably dry by means of pumps. However, here, as at other "slope" and "shaft" mines, some of the men are required at times to work in water from ankle to knee deep. This may be true of any mine, and of any class of labor, but the inspectors should take special precautions to see that where convicts are required to work under such conditions, provision is made to preserve their comfort and health.

The other prison of this company is at the "shaft" which is about a mile from the "slope." This is a new structure, having been completed within a few months past. It is large, secure, well ventilated and in excellent sanitary condition. No other prison in the State can be compared with it, except the one at Coalburg, which has better facilities for escape in case of fire, and has also the advantage of the inside court, elsewhere referred to in this report. The "shaft" prison is of wood, two stories high, built somewhat in the shape of a cross, with each of the cells opening into a common hall. There is but one means of ingress or egress. In other respects this is an excellent prison. The

mine here is a "shaft mine." What was said about water in "slope No. 2," applies as well here. But the ventillation here is not nearly so good as at the "slope," and ought to be improved. The convicts at the "slope" seemed to be in better condition physically and in better spirits than those at the "shaft." The committee noted the fact, but the reason was less apparent. There are about four hundred confined here, and they have enough to eat and to wear. The punishment list is considerably larger than at the "slope."

#### THE PHYSICIAN.

The office of State Physician is a necessary one, and should be filled by a physician of ability, skill and self-reliance. Largely upon his judgment depends the welfare and good name of the State, in the management of the convicts under the present system. From our investigation and the testimony of the inspectors and physicians, we find there has been difference of opinion as to whether a convict should be imprisoned at the mines or at the walls. Whether a man should be classed, and in which class. We do not think this division of responsibility should exist. Either the authority of the physician, as to place of confinement or character of work should be limited, or the board of inspectors clothed with the power to elect the physician, and made responsible for this part of the convict administration.

We refrain from further comment.

#### INSPECTORS OF CONVICTS.

The committee have to acknowledge the courtesy received from the inspectors, and their perfect readiness to facilitate our work.

The present Board have accomplished a great work for the State. The convict laws could hardly have been called a system when they began their labors, but they have brought order out of chaos, and have corrected many of the grossest abuses incident to a lease system.

A committee of investigation see the best and brightest side. Their coming is prepared for, and a ready explanation is never wanting. If they hear a complaint, they rarely have time to determine the right or wrong of it, and never the power to rectify it. The convict must look solely to the

authority vested in the inspectors. They should be earnest, and vigilant to detect abuses, and prompt in the exercise of their power to prevent and correct them. Section 4564, of the Code, provides that "one of the inspectors shall visit once in two weeks, and oftener if required by the Governor, the several places of confinement of all convicts," &c. We suggest that this section be so amended as to require each inspector except the president, to visit, once in each month, the several places of confinement of all convicts, &c.; and further to require such inspector to inspect the mines and the men at work therein. Some of the mines where the convicts work, have never been entered by an inspector.

Section 4641, places the hiring of State convicts in the hands of the President of the Board, subject to the approval of the Governor. We think this section should be amended so as to put this power in the hands of the President and Board, subject to the approval of the Governor.

Section 4565, of the Code, provides that the President of the Board of Inspectors shall furnish each convict, within a month after his confinement, a card showing date of conviction and expiration of sentence. We find that no cards have been issued as herein directed since last October. The reason assigned is that the clerical force in the office of the President of the Board, was inadequate to the work required.

We find that the Board have never tasked the county convicts, although section 4563, of the Code, seems to make it their duty to do so.

#### COST BILLS.

Under the present law, when a criminal is convicted and sentenced to the penitentiary, the clerk of the court collects from the contractor the costs in the case, not exceeding \$150, before removal, and the contractor receives credit therefor upon his contract.

The payment of these costs, however, is preceded by a bill of costs, forwarded to the President of the Board of Inspectors. There is no certification except by the clerk of the court. We examined a large number of these cost bills, and found that the auditing of them was very superficial.

There are in them what we believe to be errors, and charges not allowed by law.

We apprehend that under the present system of settling

these costs, gross irregularities can occur, almost beyond correction; and every cost bill might call for one hundred and fifty dollars.

We suggest that the contractor should settle with the State through the proper officer, and the State settle its own accounts with the clerks of court. There can be no injustice in this, and it would certainly be much more satisfactory.

#### CONVICT SYSTEM.

Section 4492, of the Code of Alabama, provides: "In all cases in which the period of imprisonment in the penitentiary or hard labor for the county is more than two years, the judge must sentence the party to imprisonment in the penitentiary; and in all cases of conviction for felony, in which such imprisonment or hard labor is for more than twelve months, and not more than two years, the judge may sentence the party to imprisonment in the penitentiary, or confinement in the county jail, or to hard labor for the county, at his discretion; and in all cases in which the imprisonment or sentence to hard labor, is twelve months or less, the party must be sentenced to imprisonment in the county jail or to hard labor for the county."

This makes, practically, two classes of convicts, and two convict systems. In the first class, are what is known as State convicts, and there are few, if any, in this class whose term of sentence for crime does not exceed two years. The State convicts are hired out by the State, and the proceeds of their hire goes into the State Treasury—minus the cost of conviction, not to exceed \$150 in each case.

The second class, or "county convicts," are those sentenced to hard labor for the county. This class embraces both felons and misdemeanants. County convicts are hired out by the Commissioners Court of the county where conviction is had, and the proceeds go to the county.

Where a party is sentenced to hard labor, and fails to pay the costs of conviction, he may be, and usually is, sentenced to an additional term for costs. This, also, goes to the county.

State convicts cannot be sentenced for costs.

Gov. Houston, in his message submitted Nov. 14th, 1876, upon this point says: "In my former message, I said the State pays for feeding prisoners while imprisoned in the

counties; pays fees to sheriffs in cases of insolvent convicts; also pays for arrests of absconding felons, aggregating \$103,493.23-100, to which should be added other small items paid by the State and not enumerated in this message. It seems but fair, under this State of facts, that the convicts should be sent to the penitentiary, that the State may have the benefit of their labor. It is useless to keep up the penitentiary as a place of punishment if those who are convicted of felonies are sent to work for the counties, and in that way make the penitentiary a useless expense to the State.

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I also recommend a modification of the act of March 7, 1876, "to provide for the punishment of persons convicted of crimes in certain cases." So that in all cases in which the term of service does not exceed one year, it shall be discretionary with the judge to sentence them either to the penitentiary or hard labor for the county, as he may think will best promote the ends of justice, but in all cases in which the punishment is for two years or more, the convicts must be sent to the penitentiary without any such discretion on the part of the judge."

In 1881, a joint committee of the Senate and House, after careful investigation, report as follows:

In their biennial report to the Governor in 1884, the present board of Inspectors say that the county system "is peculiarly an Alabama institution, and unequal in operation."

"We cannot too severely condemn the present system of hard labor for the county. In many instances the persons sentenced to hard labor for the county for misdemeanors are hired to contractors who work penitentiary convicts. These are all chained and herded together, and the person convicted for a misdemeanor is treated just the same as is the man to whom he is chained who was convicted of a murder. In many instances young men, who had in their thoughtlessness committed an indiscretion, have been convicted, and being unable to pay the fines, and having no friends to relieve them, are subjected to hard labor in lieu of the fines and costs. What little pride of manhood they had dwelling in their hearts is crushed out, and at the expiration of their term of sentence they come out with the feeling that they are disgraced and degraded, have no bright future to look forward to, and at last come to be felons themselves.

Your committee earnestly recommend that a law be enacted taking



away from the circuit judges the discretion of sentencing persons convicted for felonies to hard labor for the county, and that all convicted felons be sent to the penitentiary, and that those convicted for misdemeanors and sentenced to hard labor for the county, be hired out only in the county in which they were convicted, and in no instance shall they be hired to any person who employs convict labor."

We refer to these reports as showing the opinions of past investigations. Changes in the law have corrected many of the evils in the manner of treatment of misdemeanants.

Again, in 1886, in their Report, pp. 23-28, and in 1888, p. 41, they recommend that all felons should be sentenced to the penitentiary, and that the misdemeanants should be kept in the county of their conviction.

The argument thus persistently urged against the county system, are two fold. In the first place, it is insisted that as the State pays the cost of the administration of the criminal laws, including the salaries of Judges and solicitors, the transportation of prisoners, feeding of prisoners before conviction and other items, amounting in the aggregate to more than \$125,000.00, the State should receive the returns from the labor of the convicts, and that it should not be diverted from the State treasury into the treasury of the county where the conviction was had.

In the second place, it is urged that justice and humanity alike demand that there should be a distinction made in the treatment of felons and misdemeanants. As the law now stands, the youth convicted of carrying a concealed weapon or other misdemeanor, receives the same fare, wears the same stripes, performs the same task in the same mine, and is subjected as often to the lash, as a felon convicted of arson or murder. The only difference is in duration of sentence, and even in this, the term of the misdemeanant, including the sentence for cost, is sometimes longer than the sentence imposed upon the felon.

Under this head we call attention to section 4504 of the Code, which has been construed as authorizing justices of the peace to sentence to hard labor for the county for costs. At one prison we found a convict sentenced by a justice of the peace for ten days for a misdemeanor and for several months for the costs. Prior to the present Code this was not authorized, and we urge that it should be prohibited now. The reasons which suggest this recommendation easily suggest themselves to any who are familiar with the usual practice in the courts of justices of the peace.

## COUNTY CONVICTS.

On the first day of January, 1889, there were employed at the three places where convicts are worked on mines a total of six hundred and twenty-one county convicts.

We find that these convicts are not so well inspected as the State convicts; but there is not, nor can there be, any good reason for this.

The laws and regulations relating to the duties of the Inspectors are applicable alike to State and county convicts, when hired out of the county where convicted.—Code, 1886, §§ 4585-4586.

The average price paid per capita for county convicts is ten and 15-100 dollars. The average price received per capita under the present contract for State convicts is seven and 31-100 dollars—making a difference in favor of the counties of two and 84-100 dollars per capita. When it is taken into consideration that the county convicts embrace every class, grade and sex, just as they come from the jails, and that the average sentence of county convicts is less than nine months, as against an average of ten years for State convicts; and that all the testimony before us shows that the State, or long term, convicts are more valuable and less expensive to the lessees, it appears that notwithstanding the “pool or combination” among the hirers of county convicts, the counties have financially managed better than the State. A calculation will show that had the State, with a more valuable class of convicts, contracted as well as the counties, the increase of receipts would have amounted to \$21,399.40 for the eleven months ending December 31st, 1888. This is taking, as shown by Col. Dawson, six hundred and sixty-five to be the average number of convicts during this period. This sum is augmented by the cost to the State of sustaining the convicts at Wetumpka.

## COMBINATION OF HIRERS OF CONVICTS.

In pursuance of the resolution directing this committee to inquire, “Whether or not there was or had been any pool or combination among any of the parties hiring county convicts,” we made diligent search for any information or evidence on this subject.

Such an inquiry is necessarily fraught with many difficul-

ties. Arrangements of this character are usually secret, and, though suspected, are seldom susceptible of proof.

The replies to the interrogatories sent out by us to the probate judges of the several counties, were generally that they knew of no such pool or combination. In a few instances, however, the answer was, "Have heard there was, but do not know."

We pursued the investigation by secret examination of the persons we anticipated were acquainted with the facts, and elicited the following, which appears more in detail in the depositions herewith submitted—particularly those of Mr. E. M. Tutwiler, Mr. P. J. Rogers, Mr. Howard Douglas, and Col. John T. Milner.

Some time in 1883 there was a written agreement entered into by certain hirers of county convicts. This agreement we have been unable to obtain. Early in 1888, however, changes had occurred in the ownership and management of the mines hiring convicts, and another conference was had, brought about, as we understand, from the fact that the Coaldale company having been left out of the original agreement, had entered the market as a competitor for the hiring of county convicts. At this last conference there were in attendance P. J. Rogers, representing Tenn. Coal & Iron Co., E. M. Tutwiler, representing Sloss Iron and Steel Co., Howard Douglas, representing the Milner Coal & R. R. Co., and Mr. Thos. Seddon, President of Sloss Iron and Steel Co. The testimony shows that the further agreements of these parties were verbal. The result was, that the Coaldale Co. gave up its convicts and retired from the field. The convicts it then had were divided among the other three companies according to the original agreement, and the counties of the State were divided into three parts, one part to each company, and a list of counties taken by each, and each agreed not to bid against the others in the counties so organized. The Coaldale Company received either \$3,000 or \$2,500 and agreed not to hire county convicts. Under this agreement the Tennessee Coal and Iron Company were assigned the following counties: Russell, Conecuh, Talladega, Calhoun, Bullock, Clark, Madison, Green, Tuscaloosa, Shelby, Fayette, Dale, Pickens, Lamar, Cleburne, Franklin and Washington. Sloss Iron and Steel Co. the following: Hale, Pike, DeKalb, Randolph, Lee, Chilton, Bibb, Escambia, Crenshaw, Blount, Marengo, St. Clair, Etowah, Choctaw, Cherokee, Henry, Montgomery,

Barbour, Sumter, Dallas, Coffee, Cullman, Clay. The Milner Coal and Railroad Co. the following: Baldwin, Jackson, Lawrence, Lauderdale, Limestone, Macon, Mobile, Morgan, Wilcox, Marshal, Walker and Colbert. It is unnecessary to say that the testimony shows that the object of this combination was to prevent competition and to keep down the price of county convicts. We have not ascertained that any State or county official was interested or connected with such pool or combination.

#### CONCENTRATION OF CONVICTS IN MINES.

The tendency in the past few years has been to concentrate the convicts in the coal mines. On January 1st, 1889, the total of State and County convicts was 1,626. Of these 144 State convicts were confined at the walls at Wetumpka. They were for the most part women (not offered for hire) and men who had been rejected by the Tennessee Coal & Iron Railroad Co. One hundred and ninety-seven were being worked in the counties where convicted. This number includes forty county convicts of Jefferson county. This county does not allow its convicts worked in the mines. The remainder, to the number of 1,285 were hired at Coalburg, New Castle, and Pratt Mines. The committee are of the opinion that the interest of the State requires that so far as practicable the convicts should be put at some other kind of labor. The interest of the convict requires it, for while the sound and able bodied men find the work congenial, and suffer no ill effects, on the other hand the evidence is conclusive to show that work in the mines is apt to develop any latent weakness or tendency to disease. Another objection is that the tendency and effect of this, clearly is to make a Botany Bay—a penal colony of one section of the State. The number of convicts annually released in Jefferson county is quite a thousand. It is not to be disputed that a very large proportion of this number, practically all who have become coal miners, remain there, and bring their families to live there with them. It was ascertained that at Coalburg thirty per cent. of the free laborers were ex-convicts. This class form a nucleus around which assembles the criminal classes from this and adjoining states. In this there is a grave menace to the peace and prosperity, not only to the people of this county, but of the entire State. If these convicts were employed

in outside work, on farms, in rock quarries, saw mills, machine shops, etc., the motive which now keeps them in one locality, viz, their ability to cut coal, would no longer exist.

An increase in the proportionate number of wage earners to the population increases the general prosperity. Remove the 1,285 convicts from the mines, and in their stead would come 1,285 wage earners, who with their families would add approximately, 5,000 to the population. Their homes would occupy hills now barren and unproductive, and add, by way of increased tax values, to the revenue of the State.

Nearly all of the stock and bonds of the companies—except the New Castle Co—working convict labor is held, and the principal officers thereof reside out of this State. Now the great advantage that any state derives from the establishment of industrial enterprises results from the wages paid to labor, which goes into circulation and thus increases all values. Nearly every dollar of profit made by these mining companies goes out of Alabama to pay the foreign bondholders and stockholders. If however, these 1,285 convicts were replaced by wage earners, their wages which by a conservative estimate would aggregate not less than \$3,000 per day—would go into immediate circulation and remain here at home. This would mean an increase in the circulating medium in Alabama of \$900,000 a year, or an aggregate for the nine years which the present contract with the Tennessee, Coal and Iron Co., is to run, of about \$8,000,000. The revenue to the State in the way of taxes on this sum alone, would be very great, and when it is remembered that increased population and money circulation enhances all values, it can be readily seen that the benefit to the State would be enormous.

If the way could be made plain for the State to employ its convicts upon farms, without loss, it would be to the mutual advantage of State and convict. So employed, this labor would deprive no wage earner of his work. The advantages of employing convicts on farms is made most apparent, when it is understood that at the Williams farm, in a malarial district, out of about eighty convicts, of the least healthy ones, only two died in two years, and both of these were received by Williams in an almost dying condition. The testimony of Rouse, and Williams and Pace, and the reports of all the State officers who have investigated the matter, is persuasive to show, that looking alone to the



health of the convict, the farm is the best place for him.

#### THE LEASE SYSTEM.

The lease system is slavery in its worst aspect. It is at war with the enlightened sentiment of the age. It is admitted everywhere that the only excuse for its existence, is the necessity out of which it arose. We believe that the State could now afford to move forward in this matter with safety and with profit. The University of Alabama and the Insane Asylum own large quantities of most valuable coal lands. If the State proposes to continue to work the convicts in mines, she could open mines on these lands, and pay to these institutions a royalty that would greatly enlarge their capacity for usefulness. The State of Kansas works a mine on State account with convict labor and the results are satisfactory.

The testimony before your committee shows that the Tennessee Coal and Iron Company make a net profit of from \$400.00 to \$500.00 a day, from the labor of the State convicts under the present lease. This profit is difference in cost to them of free labor and convict labor. Why should not the State get the full benefit of this labor? Expert witnesses before your committee, men who are engaged in mining with free labor, say that they could afford to pay the State to mine their coal as much as it now costs them; that is to say, they now pay for cutting, hoisting, and loading in cars, exclusive of all other cost, about eighty-five cents per ton, at some places more, at others less. They could afford to pay the State the same price per ton, the State retaining the control and management of the convicts and feeding and clothing them. The six hundred State convicts at Pratt Mines get out about 1100 tons per day. The average hire of these six hundred men is thirty-seven and a half cents per day, and the cost of feeding, clothing, etc., does not exceed fifty cents per day. These statements are amply sustained by the testimony herewith submitted.

#### THE EXISTING LEASE.

The contracts for the hire of convicts, existing prior to the present lease, all terminated on the 31st day of December, 1887. On the 29th day of November, 1887, the following advertisement was made:—



ADVERTISEMENT FOR BIDS FOR THE HIRE OF STATE CONVICTS,  
1888.

STATE CONVICTS FOR HIRE.

OFFICER OF INSPECTOR OF CONVICTS, }  
MONTGOMERY, ALA., Nov. 29, 1887. }

Sealed proposals will be received at this office until the third day in January, 1888, for the hire of State convicts to be worked outside the walls of the penitentiary. The number subject to hire is about six hundred. No bid will be considered for less than one hundred, nor for a shorter period than five years, or a longer period than ten years, from the first day of January, 1888, and proposals are invited for both period and also for intermediate periods.

All of said convicts, who are physically able to do so, may be worked in mines, and the proposals shall state the number of convicts wanted the labor to be performed and particular locality of same; and no bid will be considered that does not expressly state the particular place designating the same by name.

Convicts hired to work in mines and able to do so, will be classed by the inspectors into first, second, third and fourth class, and the proposals shall state the amount offered for each class respectively per month. Convicts capable of performing manual labor, but unable to work in mines, will be hired per capita and proposals in that way are invited for them. No female convicts are offered for hire.

The hire for said convicts shall be due and payable the first day of each month. The hirer shall be required to give bond for the faithful performance of his contract in such sum as may be required by the Governor and with security to be approved by him. The hirer shall conform to all the conditions of law for the hiring of convicts, and their management and treatment, and also to all the rules of the Board of Inspectors of convicts now in existence or that hereafter may be adopted, and to provide suitable rooms, furniture and accommodations for the schools required to be established by the Inspectors. Copies of the contract required to be signed may be obtained by application at this office.

The proposals shall be written or printed and shall be enclosed in an envelope and securely sealed, with no inscription or superscription on the outside of said envelope, except my name and address, and across the left hand of the envelope, the following words: "Proposal for Convicts."

Such convicts as may be necessary for the use of the State, or who because of sex, insanity or disease cannot be put at hard labor are reserved.

The proposals will be opened and the bids accepted or rejected at the

Executive Office in the State Capitol, on the third day of January, 1888.

The right reserved to reject any and all bids.

R. H. DAWSON, President,  
Board of Inspectors of Convicts.

(Huntsville Democrat, Birmingham Iron Age, and Mobile Register, publish for 30 days and send bill receipted to the office of the President of the Board of Inspectors, Montgomery, Ala.)

In this notice the term, fifth class, or class known as outside men, occurs for the first time. It seems to have been variously construed at the time, and there has been more or less confusion of opinion about it ever since.

There seems to have been a very general desire on the part of those proposing to bid to ascertain the classification under then existing contracts, and the probable number there would be assigned to each class under the contract to be made. With this in view Col. John T. Milner wrote to Col. R. H. Dawson as follows :

Col. R. H. DAWSON,  
Montgomery, Ala.

MY DEAR SIR:—Please send me the classification at Pratt Mines for the six months preceding Oct. 1st, both for the Comer and M'Curdy and the Pratt Mines contracts. I also wish to know if I bid for 100 convicts and get them, whether I can put fifty at Bolling, and fifty at New Castle. I bid in my own name or the two companies combined, and bid jointly for 100, and you divide them. Will such a bid be accepted and acted on? Answer at your earliest convenience and oblige,

Yours truly,

(signed)

JNO. T. MILNER.

P. S. I saw Mr. Douglass and told him you had promised the above information, and he told me he had to get your order to furnish such information. We can guarantee 100 at least.

To this Col. Dawson answered as follows :

JNO. T. MILNER,  
New Castle, Ala.

Your letter is received. Mr. Douglass is so busy that I cannot make in detail the classification, but it is substantially as follows: One third, first class; one third, second class; one sixth, third class; one sixth, dead heads. But I do not want any one to be misled by this, for under the new rules for task which I send you of the 400 men at Pratt Mines, at least 175 will be *first class*, and the balance equally divided between third and second class. Our task heretofore has been too high, which is the reason our men have rated so low, but we have found out the difficulties and corrected them by the adoption of the

inclosed rules, and we want every body to bid with the understanding that the rules will be strictly enforced. This had best be thoroughly understood to prevent trouble hereafter. I send you the convict part of the new Code and the acts of the Legislature in relation to convicts, and also a copy of the contract to be signed. You must read the laws, and determine for yourself how, and where to work the men whom you may hire. You are just as competent to form an opinion as I am. will guarantee nothing, but that each contractor shall have his fair proportion of convicts.

Yours truly,

(signed)

R. H. DAWSON.

It seems that Col. Dawson's letter to Col. Milner was read by some, if not by all, the other bidders, and was by them accepted and made the basis of their bids.

Bids were made as follows :

LIST OF BIDS FOR STATE CONVICTS, JANUARY 3, 1888.

No. of bid.	Name of Bidder.	Number wanted.	Kind of labor to be performed	Place of labor.	Amount bid per Class.	Am't bid for those unable to cut coal.	Term for which bid.	Remarks.	How disposed of.
1 (a)	Rouse & Williams.....	200	Agriculture...	{ Wright and Home places Elmore Co.	.....	5 00 per capita	10 yrs.	.....	.....
1 (b)	"	200	"	"	.....	5 00	5 "	.....	.....
2 (a)	Sloss Steel & Iron Co.....	200	Coal mining...	Coalburg.....	18 00 14 00 9 00	10 50	10 "	.....	.....
2 (b)	"	200	"	"	18 00 12 00 8 00	8 50	5 "	.....	.....
2 (c)	"	300	"	"	18 00 12 00 8 00	8 50	5 "	.....	.....
2 (d)	"	300	"	"	18 00 14 00 9 00	10 50	10 "	.....	.....
3 (a)	Tennessee Coal, Iron & R. Co.....	600	"	Pratt Mines...	17 50 13 00 8 00	9 00	5 "	.....	.....
3 (b)	"	600	"	"	18 50 13 00 9 00	11 00	7 or 8	.....	.....
3 (c)	"	600	"	"	18 50 13 50 9 00	11 00	10 "	.....	.....
4	Jno. T. Milner.....	100	{ 50 " 50 lumber	New Castle... Bolling.....	18 25 13 25 8 50	11 00	5 "	.....	.....
5	Milner Coal & R. R. Co.....	100	Coal mining...	New Castle....	17 25 13 50 8 00	11 00	5 "	.....	.....
6	Milner, Caldwell & Flowers.....	100	Lumber.....	Bolling.....	18 25 13 50 8 50	11 00	5 "	.....	.....
7	Milner Coal & R. R. Co.....	100	Coal mining...	New Castle....	25 00 15 00 7 00 3 00	2 00	5 "	.....	.....
8	H. F. DeBardelaben & W. D. McGurdy	All	"	Coal C. Mines	25 00 15 00 7 00 3 00	2 00	10 "	.....	.....
9	"	All	"	"	.....	.....	.....	.....	.....
10	Coaldale Brick mining Co.....	100	{ Coal mining & brick making	Coaldale.....	16 00 12 00 8 00 5 00	10 00	.....	.....	.....

With Col. Dawson's letter to Col. Milner as a basis, by a simple calculation it will be seen that the bid of Messrs DeBardeleben & McCurdy was largely more than the bid of the Tennessee Coal and Iron Company.

But on the morning of January 3rd, 1888, the day upon which the bids were to be opened, the Board of Inspectors met in the Governor's office and proceeded to establish a basis upon which to calculate the bids, that is to say, to make an estimate of the probable number of State convicts on hand, that would be assigned to each class. They arrived at the following estimate.

1st class,.....	134.
2d class, .....	120.
3d class, .....	60.
4th class,.....	78.
Outside men, .....	208.

At this time the convicts were assigned and classified as follows :

#### CLASSIFICATION DECEMBER 1, 1887.

CONTRACTOR.	1st.	2d.	3d.	D. H.	Total.
Thos. Williams.....			29	25	54
L. A. Rouse .....		10	30	55	95
Pratt Coal and Iron Co.....	19	53	85	55	212
Comer & McCurdy.....	20	67	78	36	201
Walls.....				53	53
Total.....	39	130	222	224	615

This shows the classification of those engaged in mining. The convicts hired by Williams and Rouse were engaged in farming.

Under this classification the task of first class men was five tons ; second class, four tons ; third class, three tons, and fourth class, or "dead heads," two tons.

But, as stated in Col. Dawson's letter to Col. Milner, this classification had been found to be too high, and the Board had decided to reduce the task one ton in each class, the reduction to begin with the new contract. Under this ar-

arrangement it would naturally be supposed that the second class would all have gone into the first class, the third class to second, and the "dead heads" to third class, and this would have sustained the estimate made in Col. Dawson's letter. But the estimate in the letter did not differ more widely from the estimate upon which the bids were calculated, than did this estimate from the first classification under the new contract. Under the classification for February, 1888, the first under the new contract, we find—

1st class,	2d class,	3d class,	4th class (or d. h.)	outside
100	96	116	71	116

How the Board arrived at their estimate, the committee have been unable to understand from all the testimony, but had Col. Dawson's letter been adhered to in the calculation, or had the then existing classification at Pratt Mines been adopted as a basis, or even had the classification as it has since ranged, down to and including January 1889, the bid of the Tennessee, Coal and Iron company would not have been the highest or best bid.

The advertisement calling for bids and the contract as signed, provides for the classification of all men who are hired to work in mines. This is done under section 4641 of Code. Now there is a large proportion of men who work in mines whose task can *not* be apportioned to their class. This is particularly true of Pratt Mines where much of the coal is cut by machinery, the men merely guiding the machines. Only the men who cut and load coal can be tasked according to their class. All the others, constituting about two-fifths of the whole number, do a full day's work without regard to their classification. We have tried to make this point clear under the heading, "Classification."

The contract was awarded January 3rd, 1888, but there was no classification at Pratt Mines for the month of January. Col. Dawson, in his testimony, explains this as follows: "The statute requires the advertisement to be made thirty days before the bids are opened. By advice of the Governor the advertisement was not made until the 29th day of November, 1887, in order that the contract might go into effect under the new Code. In the meantime the existing contracts would expire. Col. Dawson therefore arranged with the Tennessee Coal and Iron Company to continue to work the convicts during January under the old contract." This delay cost the State several hundred dol-



lars. However, the contract, by the very terms of it, went into operation on the fourth day of January, 1888. See section 10 of contract. A State convict is not classed until the first of the month next after he is received at the mines. The State receives no compensation for the convict until he is classed. The county convicts are paid for from the date of their delivery to the contractor.

The committee are of the opinion that the Tennessee Coal, Iron & Railroad Company were not the highest and best bidders, and that this contract should not have been awarded to that company. We are further of the opinion that this company have taken advantage of the system of classification, against the interest of the State. We believe that this company have declined to receive a large number of convicts whom, by the terms of their contract they should have received, and have left them to be supported by the State at large. (See letter of R. H. Dawson hereto attached.)

Section 4644 of the Code provides as follows: "Each contract must contain a provision that the President of the Board of Inspectors may terminate the same at any time, with the approval of the Governor; and the Governor may terminate the same at any time, without assigning any reason."

The committee believe that the contract now existing with the Tennessee, Coal, Iron & R. R. Co. ought to be terminated.

Your committee submit herewith the testimony taken by them, and certain bills designed to carry into effect the recommendations of this report.

ROB'T J. LOWE,  
DAN WILLIAMS,  
THOS. L. BULGER,  
FRANCIS L. PETTUS,  
DANIEL H. LAY.

### [COPY OF CONTRACT.]

THE STATE OF ALABAMA, )  
MONTGOMERY COUNTY. }

This agreement made and entered into on this, the 3d day of January, A. D., 1888, by and between R. H. Dawson as President of the Board of Inspectors of Convicts for, in behalf of and to the use of the State of Alabama, party of the first part, and the Tennessee Coal, Iron and Railroad Company, a corporation fully authorized to contract in the premises, party of the second part, witnesseth that, *Whereas*, on the 29th day of November, 1887, advertisement for the hire of State Convicts was duly made by the party of the first part, which advertisement is hereto attached and made a part hereof, and *whereas* the following, among other proposals, was duly made by the party of the second part,

proposes to hire for a term of Ten Years all the male convicts subject to hire which are now under sentence, or may hereafter be within said term of Ten years sentenced to the Penitentiary of Alabama, and will pay for them as follows:

First Class Convicts.....	\$18.50 per month.
Second Class Convicts.....	\$13.50 per month.
Third Class Convicts .....	\$ 9.00 per month.
Fourth Class Convicts .....	Maintenance, and
For Convicts unfit to work in the mines but suitable for good manual labor outside.....	\$11.00 per month.

In case the bid for Ten years is accepted, said Company will build new and permanent prisons with first class conveniences and appointments in every respect, also a house for the teachers and will pay the teachers, and suitable school rooms. The said Company will employ the convicts fit for mining at what is known as Shaft No 1 and Slope No. 2 at Pratt Mines, Jefferson county, Alabama, and possibly at other Shafts and Slopes at said Pratt Mines, if approved by the Inspectors.

The said Company wishes, however, if it meets with the approval of the Inspectors, and it can make certain contracts for coal [which the said Company confidently expects to do], to build railroad and new prisons on its lands on or near Five Mile Creek and concentrate all its convicts force there, which place is distant from the Shaft and Slope above mentioned from three to four miles.

The convicts not allowed to work in the mines but on the outside, will be employed in raising vegetables, and at work incident to mining.

These bids are intended to be made in conformity to the advertisement [for bids] hereto appended and made part hereof.

The foregoing bid is respectfully submitted by the Tennessee Coal Iron and Railroad Company by its President, Nathaniel Baxter, Jr.:

TENNESSEE COAL, IRON & RAILROAD COMPANY.

By NATHANIEL BAXTER, JR.,

January 2, 1888.

President."

For the hire of all State Convicts now under sentence or who may be hereafter within the term of this contract sentenced, for the term of Ten years, which said proposal was accepted by the party of the first part and approved by the Governor of the State of Alabama on the 3d day of January, A. D., 1888, saving the right to reserve from the operation of the contract to be made in consummation of said proposal and the acceptance thereof such convicts as the officers of the State are authorized by law to except and reserve therefrom.

Now therefore this instrument witnesseth:

1. That the said party of the first part by virtue of the power and authority in him vested by the laws of Alabama, and with the approval

of the Governor of Alabama, hereby hires to the said party of the second part all the male State convicts now under sentence, or to be hereafter during the period covered by this contract, sentenced to the Penitentiary of Alabama, except such as are or may be reserved or authorized to be reserved by law now in force or hereafter enacted, all of said convicts who are physically able to labor in coal mines are to be employed in the labor of coal mining at or near Pratt Mines, or with the approval of the Inspectors, in coal mines at or near Five Mile Creek, in Jefferson county and State of Alabama, and those of said convicts who are not physically able to work in coal mines, shall be employed outside of but near to said mines, in the cultivation of vegetables or other work incident to mining.

2. That the said party of the second part is to pay to the State of Alabama as hire for said convicts, that is to say: For convicts physically able to work in mines and hired for that purpose, of the first class, eighteen and 50-100 dollars per month; of the second class, thirteen and 50-100 dollars per month; of the third class, nine dollars per month; of the fourth class, maintenance; and for convicts unfit to work in mines but capable of manual labor, as set forth in said advertisement, eleven dollars per month. The said hire to be due and payable at the State Treasury on the first day of each month, during the continuance of this contract, and if default should be made in such payment, or in any other payment to the State, required hereby, and suit at law for the recovery of any sum as to which such default occurs should be instituted, then twenty per cent. damages shall be added to the same.

3. That the contract is entered into under and in accordance with all the laws of the State of Alabama in relation to the hiring and treatment and management of convicts hired outside of the walls of the Penitentiary, and also of all the rules and regulations heretofore adopted by the Board of Inspectors of Convicts, and which may hereafter be adopted by said Board, such laws, rules and regulations being hereby expressly referred to and made a part hereof as if set out in full in this contract. And said party of the second part is to receive all convicts assigned to it at the jail where convicted, or at the walls of the Penitentiary, and to pay the expenses of their transportation to the place of labor; *Provided*, That if the physician of convicts shall pronounce any one so carried from jail to be permanently unfit for labor, then the party of the second part shall have a credit upon its monthly account for the expense of such convict.

4. That the said party of the second part shall furnish to each and every convict upon his discharge a good suit of clothes, shoes and hat, to be worth ten dollars; that the said party of the second part will not be allowed to make any charge against the State for any expenditure not provided for in this contract; that the said party of the second

part shall take every reasonable and proper step at its own expense for the recapture of every escaped convict, and the forfeiture of two hundred dollars for each escape shall be due and payable on the first day of the month after it occurred; that the said party of the second part shall make at the end of each month, to the President of the Board of Inspectors, upon blanks to be furnished by him, a report giving such information as to the convicts in its custody as that officer may require, and descriptive lists of any convict or convicts when called for; that whenever the President of the Board of Inspectors shall make demand by written or verbal order upon the said party of the second part for any convict or convicts in the custody of the said party of the second part, it shall deliver at once such convict or convicts to the said President or his agent; and that whenever the Physician of Convicts, or either of the Inspectors shall order in writing any convict to be transferred to the walls of the Penitentiary or any other place for medical treatment, the said party of the second part shall deliver, at its own expense, said convict at said place within seven days after date of such order.

5. That if any convict, while working out his sentence in the custody of the said party of the second part, shall receive personal injuries without fault on his part, permanently disabling him, the Board of Inspectors shall have power to make provision for his support, at a cost not to exceed eight dollars per month, and if necessary such cost may be added to the monthly account against the contractor.

6. That the said party of the second part shall furnish to the convicts in its charge such medical attention and medicines as may be required by the Physician of Convicts or by either of the Inspectors, and also such food and clothing as the Inspectors or either of them may direct.

7. That this contract may be revoked by the President of the Board of Inspectors of Convicts with the approval of the Governor, and the Governor may terminate the same at any time when in his judgment it is proper to do so, without assigning any reason, and on such termination or revocation of this contract the said party of the second part is to pay for said convicts at the rate herein agreed upon up to the date when it shall deliver the same to the President of the Board of Inspectors of Convicts.

8. That the said party of the second part will provide at its own expense suitable rooms, furniture and accommodations for the convict schools required to be established by the Inspector; also a suitable house for the residence of the teachers of such schools, and also shall provide one teacher to every 125 convicts, and pay the salaries and board of said teachers.

9. That the said party of the second part will, within one year from the date of this contract, build, equip and furnish in all respects, in

accordance with plans and specifications to be furnished by the party of the first part a new and permanent prison, or prisons, of sufficient capacity for the confinement of all the convicts that may, at any time, be in the custody of the said party of the second part under this contract; that said prisons shall be located at such points, at or near Pratt Mines, or Five Mile Creek, aforesaid, as the Board of Inspectors shall designate, and shall be provided with all appliances, conveniences and appurtenances that are necessary or conducive to the safe-keeping, health and comfort of said convicts; and the said prison shall, at all times, be kept in good condition, both as to sanitation and safety, by the said party of the second part. The entire cost of construction, equipment and maintenance as to safety and sanitation, of said prison to be borne by the said party of the second part.

10. That this contract is to commence upon the 4th day of January, D., 1888, and is to terminate on the 4th day of January, A. D. 1898, and said convicts are to be delivered to the said party of the second part, from time to time, by the President of the Board of Inspectors during the existence of this contract, provided said convicts are in the custody of said President subject to this contract; and that the said party of the second part is to receive and pay for all such convicts as he may receive under this contract, whether they be the full number contracted for or more or less.

11. That the said party of the second part shall give bond in the sum of one hundred thousand (\$100,000) dollars, the same being the amount required, and to be approved by, the Governor; and that said party of the second part, whenever required to do so by the Governor, and within five days after notice of such requisition, shall give, at the election of the Governor, either additional security on any existing bond, or a new bond, to be in either case approved by the Governor; but the giving of such additional bond, or additional security, shall in no wise affect or limit the liability of the sureties on the first or any subsequent bond.

Provided, however, that the Governor after the lapse of two years from the execution of any bond hereunder may, if he sees fit so to do, on the application of any surety on such bond, take a new bond in lieu of said bond and in release of the sureties on said bond from all liability which shall accrue after the date of the approval of such new bond, but such release shall only be evidenced by an indorsement on said bond signed by the Governor, which indorsement must also be shown to be transcribed on this contract, and the taking of such new bond and release of the sureties on such old bond shall at all times be entirely in the discretion of the Governor, and the exercise of this power on the part of the Governor with respect to any bond, shall in no wise affect, limit or release the liability of the sureties on any other bond. The interlineations after the word "part" above was made before the execution hereof, as also interlineation after word "labor."

IN WITNESS whereof we have hereunto set our hands and seals, this the 18th day of January. A. D. 1888, and executed the same in triplicate.

(Seal of Inspectors)

R. H. DAWSON, [L. S.]

President of the Board of Inspectors of Convicts.

(Seal of T. C. I. & R. R. Co.)

TENN. IRON, COAL & R. R. Co. [L. S.]

By F. F. HILLMAN, V. P., [L. S.]

By JAS. BOWRON, Sec'y, [L. S.]

Contractor.

Approved February 1st, 1888.

THOS. SEAY.

### [R. H. DAWSON'S LETTER.]

MONTGOMERY, ALA., January 16th, 1888.

HON. THOS. SEAY,

Governor.

*Dear Sir:*—In pursuance to your orders I have been endeavoring to get into the possession of the Tenn. Coal, Iron and R. R. Co. all of the State convicts to which they are entitled and which they should receive under their contract. As soon as I commenced to deliver the convicts, who had been in the possession of Rouse and Williams, a difficulty arose, unlooked for by me, as to the kind of convicts this company should receive.

The Advertisement contains the following clause: "Convicts capable of performing manual labor, but unable to work in mines will be per capita, and proposals in that way are invited for them." The bid of this Company for that class of convicts reads as follows: "And for convicts unfit to work in mines but suitable for good manual labor outside, \$ 11.00 per month."

The Company declines to receive any persons for outside labor whom the Physician of convicts pronounces only capable of earning a living—*i. e.*, who, though able to work, can do no more than enough to pay for their maintenance. At my request, Dr. R. Aug. Jones, the State Physician, has made an examination of the State convicts with a view to ascertaining the proportion of the convicts—allowing this claim of the company—will be thrown upon our hands for support.

I enclose you a copy of his report to me on this subject. From it you will find that at the Pratt Mines and at the Rouse and Williams plantations there are 55, and that there are also at Pratt Mines 33 of whom he is doubtful, and will make a subsequent report as to them. There are in the Penitentiary 37 women, none of whom are included in the above estimates. At least one-half of these can earn a living, and more, as



old hands: four or five of them are utterly worthless, and the balance can do some work, as washing, mending, sewing &c.

Allow me to call your attention to the number who will have to be supported at the Walls, if the Tenn. Co. is correct in the position that it has assumed.

#### STATEMENT:

Females .....	37
Persons from Pratt Mines incapable of earning anything.....	12
Persons from Pratt Mines capable of earning a bare living.....	20
Persons from Rouse and Williams incapable of earning anything....	15
Persons from Rouse and Williams capable of earning a living and no more.....	35
Persons at the Walls on the first of Jan. unable to earn a living....	20
Convelescents at the Walls under treatment but to be returned to the contractor whenever it can be safely done.....	11
[However, that is about the number of this class that will be there at all times no doubt, for as some are sent away others will be returned here.]	
Persons at the Walls who perform domestic offices such as cooks, &c....	6
There will also be at the walls temporarily—there being probably several months work for them—about a dozen men employed as mechanics and their assistants.....	12

While the accurate total cannot here be given, it will be about 160, not considering that any of the 33 at Pratt Mines—considered as doubtful by Dr. Jones—will be returned to the Walls.

I had expected, and so stated, that the number would be about 100, and this difference from my calculations is the result of the position taken by the Tenn. Co. with regard to receiving the outside men.

Of this number, in my judgment, at least 18 women and 55 men can do at least work enough for a support in the field if we had any place to utilize their labor. The penitentiary is so situated that there is no land but about 50 acres of tillable land joining the Walls belonging to Thomas, and 20 acres belonging to the State that can be worked with laborers residing at the Walls, except that owned by Col. Thos. Williams. He has already made a proposition to work one of his plantations which has been declined. He again proposes to work a portion of his land or have it worked by the State with the women and the men refused by the Tenn. Co. at his first proposition. His proposal is this:

He will furnish the land, the teams, the cotton seed for planting, farming utensils, and one-half the fertilizer purchased, and the State to furnish the labor, feed, clothe and guard the convicts and have entire control over them.

As I understand from Col. Rogers, the manager for the Tenn. Co., they are willing to receive this 55, or at least a portion of them, for their maintenance.

If the claim of the Tenn. Co. is sustained, something must be done to relieve the State from the enormous burden which the support of these people will entail.

I lay this whole matter before you asking your advice and your orders, and am ready and anxious to do all in my power to settle it, in what you may consider the best interest of the State.

Yours very truly,

R. H. DAWSON.

#### A BILL

To be entitled An Act to amend Section 4563 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4563 of the Code be so amended as to read as follows:

*4563. Must adopt rules to prevent inhuman treatment.*—The Board of Inspectors shall adopt such rules, to be approved by the Governor, as are necessary to prevent inhuman treatment or cruel or excessive punishment of State and County convicts, and also to regulate the time and amount of work to be performed by them, and the manner of working them.

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#### A BILL

To be entitled An Act to amend section 4504 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4504 of the Code be and the same is hereby amended so as to read as follows:

*"4504 (4731) When additional hard labor imposed for costs; rules in reference thereto*—If, on conviction in a Court of Record, judgment is rendered against the accused that he perform hard labor for the county, and if the costs are not presently paid, or judgment confessed therefor, as provided by law, then the court may impose additional hard labor for the county for such period, not to exceed eight months in cases of misdemeanors, and fifteen months in cases of felony, as may be sufficient to pay the costs, at a rate not less than thirty cents per diem for each day, and such convict must be discharged from the sentence against him for costs on the payment thereof, or any balance due thereon, by the hire of such convict or otherwise, and the certificate of the Judge or Clerk of the Court in which the conviction was had, that the costs or the residue, after deducting the amount realized from the hire of the convict, have been paid, or that the hire or labor of the convict, as the case may be, amounts to a sum sufficient to pay the costs, shall be sufficient evidence to authorize such discharge.

## A BILL

To be entitled An Act to amend section 4655 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4655 of the Code be so amended as to read as follows:

4655. *Unfit labor and compartments prohibited.*—No convict must be required to perform any labor or task for which he has been declared unfit or incapable by the physician and Board of Inspectors; nor must he be confined in barracks or cells or compartments pronounced by the physician and board to be unhealthy or unfit for his accommodation.

## A BILL

To be entitled An Act to amend section 4575 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4575 of the Code be so amended as to read as follows:

4575. *Physician; how elected; must report to the Board of Inspectors.* The Board of Inspectors shall elect a reputable and duly licensed physician for the State and County Convicts. He shall report monthly, and oftener if required, to the Board of Inspectors, the condition, health and sanitary arrangement of all State and County Convicts, together with any recommendations as to any changes necessary for the more humane treatment of State and County convicts; and it shall be the duty of such physician to devote his whole time and service exclusively to the supervision and care of and practice upon the State and County convicts; such physician shall visit any camp where State or County convicts are worked, when requested to do so by the Board of Inspectors. He shall hold office for two years and shall not accept any employment or compensation from any hirer of State or County convicts, and said physician may be removed by said Board of Inspectors, whenever a majority of said Board see fit to do so.

## A BILL

To be entitled An Act to amend Section 4657 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4657 of the Code be so amended as to read as follows:

4564. *When unlawful to work in mines or on railroad; when convict removed.*—It is unlawful to work upon railroads any convicts; and it is unlawful for the inspectors, or any person or officer, having charge of the hiring of either State or County convicts, to hire any convict who is not phy-

sically capable of performing such service, to be worked in mines; and whenever a convict is hired to be worked in the mines, and, subsequent to such hiring, it is made to appear that such work is injurious to the health of the convict, such convict, on the recommendation of the physician and by order of the inspectors, may be removed from such mine and put to some other kind of work.

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#### A BILL

To be entitled An Act to amend Section 4564 of the Code.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 4564 of the Code be so amended as to read as follows:

4657. *Duty as to visiting places of confinement, etc.; monthly statements filed.*—Each of the Inspectors, except the President of the Board, shall visit once in each month, and oftener if required by the Governor, the several places of confinement of all State or County convicts; and the visiting inspectors shall examine the food, clothes, quarters, bedding, hospital, provisions made for the sick, and general treatment, and punishments, and shall inspect the mines and the convicts at work therein; and if he finds anything wrong, he shall point out the same to the warden of the prison, and immediately notify the President of the Board; and the President of the Board, and each inspector shall file monthly in the office a statement of the work done by him, and the condition of the convicts at the places visited during the preceding month; but the inspectors shall not be required to visit county convicts hired in the county where convicted, except when worked in mines or on railroads.

#### A BILL

To be entitled An Act to provide for the payment of costs on convictions of felony, where the defendant is sentenced to imprisonment in the Penitentiary.

SECTION 1. Be it enacted by the General Assembly of Alabama, That whenever a defendant is convicted of a felony and is sentenced to imprisonment in the Penitentiary, the clerk of the court in which the conviction is had shall make out a full and complete bill of the costs in said case, which bill of costs shall contain the following items, and no others: Clerk's fees for issuing subpoenas for State witnesses; issuing capias; clerks fees for docketing; for continuances; taking undertaking or recognizance and entering same; trial; entering judgment; issuing execution; entering order of removal; making certificate and transcript; entry of forfeiture, final judgment; record for Supreme Court; certi-

fyng same; final record; recording indictment; sheriff's fees; executing warrant or writ of arrest; bond or undertaking; serving subpoenas for State witnesses; committing prisoner; summoning jury; solicitor's fees on conviction; fees of State's witnesses.

SEC. 2. Be it further enacted, That the clerk shall make oath to the correctness of said bill before some officer authorized by law to administer oaths, and that each item of said bill is true and correct, and is a just charge against the defendant. He shall forward said bill of costs to the State Auditor, who shall carefully examine the same, and if found correct, shall draw his warrant on the Treasury for the amount of said bill; Provided always, that in no case shall the amount paid in any one case exceed the sum of one hundred and fifty dollars.

SEC. 3. Be it further enacted, That no contractor or person hiring State convicts shall pay any costs to any clerk.

SEC. 4. Be it further enacted, That the same fees shall be allowed for each item of costs specified herein, as are now allowed by law.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

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#### A BILL

To be entitled An Act to amend section 4648 of the Code.

Be it enacted by the General Assembly of Alabama, That section 4648 of the Code be amended so as to read as follows:

SEC. 4648. *Not less than twenty-five State nor less than ten county convicts hired to one person; how governed; misdemeanor.*—Not less than twenty-five State nor less than ten county convicts shall be hired to one person, or kept at one prison, and none of those hired to any person must be related to him by consanguinity or affinity—and they shall be governed, worked and guarded as prescribed by the rules and regulations prescribed for working penitentiary convicts outside the walls. The violation of this section is a misdemeanor, punishable on conviction by fine not exceeding one thousand dollars, and hard labor not more than twelve months.

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#### A BILL

To be entitled An Act to amend Section 4641 of the Code of Alabama.

Be it enacted by the General Assembly of Alabama, That section 4641 of the Code of Alabama be amended so as to read as follows:

*Hiring of State convicts; notice, sealed proposals, qualifications of bidders*

*etc.*—All of the convicts may be hired to be worked outside of the walls; and when they are to be so hired, the president of the board of inspectors shall give notice thereof by publication in one or more newspapers in each of the cities of Mobile, Montgomery, Birmingham, Huntsville and Selma, for at least thirty days previous to a day designated in said notice, that sealed proposals will be received at his office for the hire of convicts. The notice shall state the terms and conditions upon which the convicts shall be hired. The proposals for hire must be printed or written, and shall state the number and class of convicts wanted, and the price to be paid for each per month; and the kind and locality of labor to be performed, and shall be enclosed in an envelope and securely sealed, and there shall be nothing on the outside of said envelope except the name and address of the president of the board of inspectors, and across the left end of the envelope the words "Proposals for Convicts." The president of the board shall keep such proposals safely, and on the day designated in the advertisement of hiring the proposals shall be opened by him in the presence of the Governor and of the members of the board of inspectors, and the bids shall be rejected or accepted by the board of inspectors, subject to the approval of the Governor; and, in the acceptance or rejection of the bids, regard must be had to the character and reputation of the bidder, the occupation, the healthfulness of the place where they are to be worked; each proposal, accepted or rejected, must be so indorsed with the date, and signed by the board of inspectors and the Governor, and must be kept by the president in his office, subject to examination by any citizen of the State. Provided, That any convicts that may have been reserved from any letting under the provisions of this section because they were needed for the uses of the State, or because they were at the time of the letting unable to perform manual labor, or on account of their sex, may be hired at any time either by advertisement as provided herein, or by contract made privately by the board of inspectors with the approval of the Governor, to such person or persons, and for such work as in the judgment of the board of inspectors and the Governor may seem best for the interests of the State.



## CLASSIFICATION AT PRATT MINES.

	1st Class.	2d Class.	3d Class.	4th Class.	Outside.	Total.
1888.						
January.....	87	112	144	122	....	415
February.....	100	96	116	71	116	499
March.....	101	125	82	80	119	507
April.....	103	130	81	62	130	506
May.....	104	124	94	66	122	510
June.....	108	138	120	86	97	549
July.....	122	154	118	59	98	551
August.....	137	157	98	70	96	558
September.....	142	160	116	68	94	580
October.....	140	179	106	84	87	596
November.....	137	180	131	78	88	614
December.....	136	203	125	78	94	636
1889.						
January.....	132	209	141	67	106	655

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate insists on its amendment to—

H. B. 226. To provide for the election of county superintendents of education,

And asks a committee of conference thereon.

Committee on the part of the senate: Messrs. Parks, Huey and Lang;

And has amended as therein shown, and as amended, has passed:

H. B. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding two hundred thousand dollars, for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail of said county;

And has passed:

H. B. 208. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing school lots in said city, and of erecting, adding to and improving school buildings and furnishing the same.

H. B. 556. To prohibit the driving of logs, timber or lum-

ber in that part of Choctawhatchie river in this State below the town of Newton, in Dale county,

And has amended as therein shown, and as amended, has passed :

H. B. 341. To incorporate the town of Millport, in Lamar county, Alabama ;

And has originated and passed and ordered to the house forthwith,

s. 206. To authorize the Decatur Land and Improvement and Furnace Company to retire and cancel certain stock herein named.

s. 273. To fix the times and places of holding the circuit courts in the counties of Franklin and Marion, in the eighth judicial circuit of the State of Alabama.

s. 287. To provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same;

And has adopted a joint resolution herewith sent relative to printing the testimony taken by the joint committee to investigate the convict system ;

And returns, at the request of the house,

s. 30. To amend section 5 of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17, 1886.

WM. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house acceded to the request of a conference committee on—

H. B. 226. To provide for the election of county superintendents of education.

Committee on the part of the house : Messrs. Williams, Lowe and Bush.

The first senate amendment to—

H. B. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding three hundred thousand dollars, for the purpose of completing the court house, and for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail of said county,

Was concurred in.

Yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Powell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf—66.

Yeas 57, nays 0.

The house concurred in the second senate amendment to said H. B. 372.

Yeas—Messrs. Speaker, Allen, Bogart, Bolton, Bush, Blevins, Bradley, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Ratray, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams—57.

The house concurred in the senate amendment to H. B. 341, to incorporate the town of Millport, in Lamar county.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bogart, Bolton, Bush, Blevins, Bradley, Carter, Clark, Clements, Cunningham, Curtis, Dark, Dupree, Dykes, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Ratray, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Walker, Ward, Williams, White of Geneva—54.

The senate bills whose titles are set out in the above and foregoing message were severally read one time and referred to committee as follows :

s. 206, 273, 287 to the judiciary.

The senate joint resolution in relation to printing the report of committee on convict system was laid upon the table.

On motion of Mr. Wiley, the vote by which—

s. 30, to amend section 5 of an act entitled an act to

provide for a solicitor for Montgomery county, approved February 17, 1886,

Was passed, was reconsidered.

Mr. Wiley moved to amend the title and body of the bill by striking out "6" in "1886," and inserting "5" in lieu thereof.

Carried.

The bill was read the third time at length and passed.

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, King, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Posey, Powell, Russell, Simmons, Summers, Smaw, Smith, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Woolf, White of Geneva—62.

Mr. Stone moved to reconsider vote by which—

H. B. 553. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or beverages, within the Fairfield beat in Pickens county, Ala., passed.

Carried.

Mr. Stone moved to reconsider the vote ordering the bill to a third reading.

Carried.

Mr. Stone moved to amend as follows :

"Add at the end of the bill," *Provided*, That the provisions of this bill shall not take effect until 1st day of December, 1889.

Adopted.

The bill was then read the third time at length and passed—yeas 62, nays 0.

Yeas — Messrs. Speaker, Adams, Allen, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Hogue, Hundley, Kemp, King, Ledyard, Long, Longshore, Maley, Miller, Moseley, McElderry, McElvey, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Posey, Powell, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Woolf, White of Geneva—62.

## RESOLUTION.

By leave, Mr. McLeod offered the following resolution, which was adopted.

*Resolved by the House*, (the Senate concurring), That the chairmen of the finance committees of the two houses be requested to furnish the General Assembly, at as early a day as possible, with an estimate of the probable revenues of the State for the two fiscal years ending September 30, 1890 and 1891, respectively.

*Resolved further*, That the chairmen of the appropriation committees be requested to furnish estimates of the appropriations already made by this legislature.

## RECONSIDERATION.

Mr. Dark moved to reconsider the vote by which—

H. B. 317. To repeal an act entitled an act to establish a court of county revenues for Chilton county, approved February 28, 1887,

Was lost.

Mr. White of Dallas, moved to table the motion of Mr. Dark.

Carried—yeas 40, nays 38.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Billingslea, Bush, Bradley, Clements, Cochrane, Cornelius, Cunningham, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Lewis, Meador, Miller, McElvey, Nisbet, Patton, Pettus, Porter, Russell, Smaw, Smith, Stansel, Stone, Tatum, Walker, Watson, Watters, Williams, Woolf, White of Dallas—40.

Nays—Messrs. Adams, Arrington, Bogart, Bolton, Blevins, Brown, Clark, Curtis, Dark, Dupree, Dykes, French, Higgins, Lee, Long, Lowe, Maddox, Mancill, Maley, Moseley, McDerry, McLendon, McLeod, McRee, Nelson, NeSmith, Posey, Rattray, Simmons, Summers, Smisson, Wade, Ward, Weaver, Webb, Wiley, Winston, White of Geneva—38.

## SPECIAL ORDER,

H. B. 225. To form a new county to be called the county of Milner,

For this hour, being the above named bill.

The amendment of the committee to substitute "Warrior"

for "Milner," in title and body of bill, was adopted.

Mr. Higgins moved the following amendments:

Amend by striking out the word "Cullman," where it occurs in the title and body of the bill

Lost.

Also,

Amend by striking out the following words, commencing with the words "To the range line," where they occur on page three and line twelve of the bill, after the words "said river," viz:

"To the range line dividing ranges five and six west, thence north with said range line to the northwest corner of section nineteen, township 12, range five west," and insert the following words, viz :

To the line between sections 20 and 29, township 13, range five west, thence east to the southeast corner of section twenty-four (24), township 13, range five west; thence north along the line between ranges four and five west, to the northwest corner of section eighteen (18), township 13, range four west; thence east along the section line to the southeast corner of section twelve (12), township 13, range four west; thence north along the line between ranges three and four to the Cullman county line." '

Lost.

The bill was read a third time at length and lost--yeas 51, nays 37.

Yeas--Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bush, Blevins, Brown, Cochrane, Cunningham, Darby, Dark, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Knight, Ledyard, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Porter, Powell, Rabb, Russell, Simmons, Smaw, Smith, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, White of Geneva--51.

Nays--Messrs. Bogart, Bolton, Bourdeaux, Bradley, Carter, Clark, Clements, Cornelius, Curtis, Dykes, Files, French, George, Higgins, Kemp, King, Kyle, Lay, Lee, Lewis, Meador, Miller, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Posey, Pratt, Summers, Stansel, Stone, Watters, Wiley, Woolf, White of Dallas--37.

#### INTRODUCTION OF BILLS.

Bills were introduced by Mr. Shorter--  
Mr. Stone in the chair--



H. B. 832. To ratify and legalize the acts and orders of the commissioners court of Barbour county in establishing districts in which stock shall be prohibited from running at large.

By Mr. Pettus, by request,

H. B. 833. To confer on the court of probate jurisdiction to ascertain and declare heirship to persons dying intestate.

Also, by request,

H. B. 834. To regulate the practice in the courts of this State in cases of successive, and fraudulent attachments.

By Mr. Dupree—

H. B. 835. To prevent the disturbance of religious worship in this State.

Also,

H. B. 836. To provide for term of office of the tax commissioners of Tallapoosa county and to define their duties.

By Mr. Lewis—

H. B. 837. For the relief of James H. Simms, of Mobile county.

By Mr. Woolf—

H. B. 838. To establish a state board of medical examiners.

By Mr. Mancill—

H. B. 839. To regulate the waiving the causes arising in the county court of Covington county.

By Mr. Moseley—

H. B. 840. To amend section 3781 of the Code of 1886.

By Mr. Walker—

H. B. 841. To prohibit the sale of alcoholic or vinous spirits, or liquors, within three miles of Gurley's Union Church, and Gurley's Normal Academy, of Gurley, Madison county, Alabama.

By Mr. Stone—

H. B. 842. To amend section second of an act entitled an act "to authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties issued for, or on account of stock subscribed to railroad companies, approved February 23, 1883.

By Mr. Weaver--

H. B. 843. To amend section 1319 (1544) of the Code.

By Mr. Nelson—

H. B. 844. To prevent pictures, blinds, or screens of any kind from being placed in saloons or in front of any bar, counter, or house where beer or any kind of intoxicating drinks are sold, or otherwise disposed of.

By Mr. Webb—

H. B. 845. To incorporate and establish a charter for the town of Childersburg, in Talladega county.

By Mr. Carter—

H. B. 846. To repeal an act to authorize the laying off the county of Pike into commissioners districts, and providing for the election of commissioners by the qualified voters of the county.

By Mr. Summers (by request)—

H. B. 847. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal Company of Alabama, and to amend the same.

The foregoing bills were severally read the first time, and referred to appropriate committees.

House bills 832, 833, 834, 840, to judiciary.

House bills 835, 836, 837, 842, to revision of laws.

House bills 841, 843, 844, to temperance.

House bills 839, 846, to local legislation.

House bill 838 to public health.

House bills 845, 847, to corporations.

#### REPORT OF STANDING COMMITTEE.

Mr. Knight, from a special committee, with leave to report at any time, reported favorably to the bill—

H. B. 824. To authorize Jas. T. Beck and others to establish a public ferry at Ellis' landing on the Alabama river in Wilcox county, Alabama.

The foregoing bill was read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 142. To incorporate the Roanoke Normal College at Roanoke, Randolph county, Alabama.

s. 23. To incorporate the Anniston and Montgomery Railroad Company, and to further the construction of said railroad.

And has concurred in the joint resolution relative to an estimate of the probable revenues of the State for the years 1890-1.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills, whose titles are set out in the above and foregoing senate message.

The hour of 1:30 p. m. having arrived, the house stood adjourned until 3:30 p. m. to-day.

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AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

## RESOLUTION.

Mr. Bradley offered the following resolution :

*Resolved*, That a special committee of three (3) be appointed to prepare a bill embodying all local bills now on the calender, or which may be placed thereon by the 15th of February, prohibiting the sale or otherwise disposing of intoxicating liquors.

*Be it further resolved*, That said bill, when prepared, shall be made the special order for February 20th, immediately after the reading of the journal.

Adopted.

Committee—Messrs. Lee, Russell and Blevins.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
February 4, 1889.

*Mr. Speaker:*

The governor has approved the following bills, which originated in the house of representatives :

House bills ninety-seven (97), two hundred and twenty-nine (229), one hundred and sixty-nine (169), two hundred and seventy-one (271), two hundred and seventy-four (274).

THOS. H. CLARK,  
Recording Secretary.

On motion of Mr. Shorter, Mr. Ledyard in the chair,  
House bill 166, the Depository bill, was made a continuing special order for to-morrow after the reading of the journal.

## RECONSIDERATION.

H. B. 487. To define and regulate the jurisdiction of justices of the peace and notaries public, who are ex officio justices of the peace in precincts 21 and 37, and in the wards of the city of Birmingham, Alabama, in Jefferson county, in said State, and to regulate their fees.

Mr. Lowe offered the following amendment :

H. B. 487. Amend section 1 by inserting in the fifth line the words "justices of the peace," and before the words of the wards of the city of Birmingham, the words "in precinct 21 and 37," and after the words "Birmingham," the words Jefferson county.

Adopted.

The bill was read a third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Curtis, Dark, Dupree, Dykes, Fitzpatrick, French, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Stansel,

Tatum, Walker, Webb, Williams, Winston, White of Geneva—52.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Watters—

H. B. 788. To amend an act entitled an act to provide for the registration on lien of judgments and decrees for the payment of money.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, Hardy, Henderson, Hogue, Kemp, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Watson, Watters, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—67.

By Mr. McLeod—

H. B. 567. To require the probate judge of Clarke county to prepare and keep in his office a general direct and reverse index of all deeds and mortgaggs of lands, or any estates or interest therein.

The bill was read the third time at length and passed—yeas 67, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Ward, Watson, Webb, Williams, Winston, Woolf, White of Geneva—67.

Mr. Files voted nay—1.

By Mr. Clements—

H. B. 578. To authorize the commissioners court of Tus-

kaloosa county to purchase claims against the fine and forfeiture fund of said county.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Curtis, Darby, Dark, Dupree, Files, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Mosely, McElderry, McElvey, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Stone, Tatum, Ward, Watson, Webb, Williams, Winston, Woolf, White of Geneva—63.

By Mr. Nelson—

H. B. 723. To authorize the judge of the circuit court to fix by an order entered upon the minutes of the court, the time when the criminal docket may be taken up at the next ensuing term in the several counties now composing the seventh (7) judicial circuit.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cunningham, Curtis, Darby, Dark, Dupree, Files, Fitzpatrick, George, Hampton, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Summers, Smisson, Stowers, Ward, Watters, Webb—56.

By Mr. Allen—

H. B. 593. To provide for the working of the public roads in Cleburne county.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hogue, Ledyard, Lee, Longshore, Maddox, Mancill, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Pettus, Porter, Posey, Powell, Rabb, Simmons, Sowell, Smaw, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Webb, Williams, White of Dallas, White of Geneva—52.



By Mr. Simmons—

H. B. 428. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Shelby, Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Bibb, Geneva, Covington, Coffee, Dale, and Lawrence, approved March 3d, 1870, so far as it relates to the county of Coffee.

The bill was read the third time at length and passed; yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hogue, Kemp, Ledyard, Lee, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Simmons, Sowell, Smaw, Summers, Stansel, Stone, Stowers, Tatum, Ward, Watson, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

By Mr. Summers—

H. B. 336. To amend subdivision 9 of section 451 of the Code.

Mr. Summers offered to amend the bill by making value of horse or mule \$100.00, instead of \$200.00.

On motion of Mr. Rabb, the amendment was tabled.

Yeas 73, nays 13.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Stansel, Stone, Tatum, Walker, Ward, Watson, Waters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—73.

Nays—Messrs. Bolton, Clark, Curtis, Dykes, French, Higgins, Hundley, Johnson, Long, NeSmith, Summers, Smisson and Winston—13.

On motion of Mr. Rabb, the bill was laid on the table.

Yeas 71, nays 13.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis,

Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, George, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longsgore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—71.

Nays—Messrs. Bogart, Bolton, Carter, Clark, Curtis, French, Higgins, Long, Lowe, Mancill, NeSmith, Summers, Wiley—13.

By Mr. Lee—

H. B. 482. To require probate judges to provide blank forms for deeds, mortgages, and crop liens for use in their respective counties, and record books in conformity therewith, and to regulate the fees to be charged therefor.

The substitute offered by the committee was adopted.

The bill was read the third time at length and passed ; yeas 73, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Stansel, Stone, Stowers, Tatum, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—73.

By Mr. Brown—

H. B. 452. To repeal an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous, or malt liquors, or any intoxicating bitters or mixtures, within four miles of Good Water School Academy, Coosa county, and in the county of Butler, except beat 12 in said county, approved February 19, 1857, so far as said act applies to Good Water Academy in Coosa county.

The bill was read the third time at length and lost—yeas 37, nays 39.

Yeas—Messrs. Allen, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtts, Dark, Dykes, Files, Fitzpatrick, Higgins, Hogue, Hundley, Johnson, Ledyard, Lewis, Longshore, Mancill, Moseley, NeSmith, Paine, Pettus, Porter, Summers, Smisson, Stansel, Stone, Webb, Williams, Winston—37.

Nays—Messrs. Speaker, Adams, Benners, Blevins, Carter, Darby, Dupree, George, Hampton, Hardy, Kemp, King, Lay, Lee, Long, Maddox, Maley, Meador, Miller, McElvey, McLendon, McLeod, Nelson, NeSmith, Parker, Posey, Powell, Rabb, Simmons, Smaw, Smith, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Woolf, White of Dallas, White of Geneva—39.

By Mr. Mancill—

H. B. 497. To establish a chancery district composed of the county of Covington.

Mr. Mancill moved to amend the bill by substituting the words, "southeastern" for "southern," in the title and body of the bill.

Carried.

The bill was read the third time at length and passed; yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Carter, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Knight, Lay, Ledyard, Lee, Long, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Stansel, Stone, Stowers, Tatum, Wade, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—64.

By Mr. Watson—

H. B. 638. To incorporate the Highland Home College, in Crenshaw county.

The bill was read the third time at length and passed—yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Curtis, Darby, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Higgins, Hogue, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Miller, Moseley,

McElvey, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Porter, Powell, Pratt, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—70.

By Mr. Higgins—

H. B. 425. To amend section 143 of the Code.

Mr. Higgins offered the following amendment:

After the word "ingredients," in the next to last line of section one, add the words: "and commercial value thereof as."

Adopted.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Bolton, Blevins, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maley, Meador, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Porter, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Watson, Watters, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—56.

By Mr. Smisson—

s. 152. To amend an act to declare Mary S. Boswell and J. T. Boswell, liners between the counties of Pike and Bullock, citizens of Bullock county, and to change the line between said counties, approved February 22, 1887.

The bill was read the third time at length and passed—yeas 51, nays 5.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis, Bogart, Bolton, Bush, Bradley, Clark, Clements, Cunningham, Curtis, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Johnson, Lay, Ledyard, Lewis, Long, Maley, Meador, Moseley, McElvey, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Webb, Williams, Woolf—51.

Nays—Messrs. Carter, Darby, Dark, Hogue, Wiley—5.

#### REPORT OF STANDING COMMITTEE.

By leave, Mr. Rabb, from the committee on public printing, reported favorably to the bill, with amendment,

H. B. 417. To provide for the publication of the acts of the present session of the general assembly.

The foregoing bill was read a second time and placed on the calendar.

#### INTRODUCTION OF BILLS.

By leave, bills were introduced as follows :

By Mr. Wiley—

H. B. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river at or near the city of Montgomery, and to authorize the board of revenue of Montgomery county and the court of county commissioners of Autauga county, severally to issue bonds to pay for the same.

By Mr. McElderry (by request)—

H. B. 850. To amend section 979 of the Code.

By Mr. Posey (with notice)—

H. B. 851. To pay J. W. Portis and James Cobbs for professional services rendered the State of Alabama vs. Z. T. Clements and his sureties in Washington county circuit court.

By Mr. Johnson—

H. B. 852. To amend an act entitled an act to make an additional appropriation out of the general school fund to the county of Winston.

By Mr. Rattray—

H. B. 853. To require the names of informers before grand juries to be written upon the backs of indictments in certain cases.

Also,

H. B. 854. To define the dimensions of a cord of wood in Alabama, and to punish the violation of the same.

By Mr. Longshore—

H. B. 855. To authorize and require the superintendent of education of the State of Alabama, to draw a warrant on the State treasurer for the sum of one thousand seven hundred and forty nine 50-100 dollars, with interest on said amount at the rate of six per cent. per annum from 1st day of March, 1859, to the 1st day of January, 1889, and place the same to the credit of the school fund in section 16, township 20 of range 2, east, in Shelby county.

Also,

H. B. 856. To authorize and empower the commissioners court of Shelby to appropriate three thousand dollars per year

for the years 1889 and 1890, out of the general fund in the county treasury to aid the free public schools of said county.

By Mr. Dupree—

H. B. 857. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within three miles of County Line school house in Daviston beat, in Tallapoosa county, Alabama.

By Mr. Stansel—

H. B. 858. To amend section (150) one hundred and fifty of the Code.

Also,

H. B. 859. To amend section 1085 of the Code of Alabama.

By Mr. Lay—

H. B. 860. To provide for the disposition of the fund derived from the sale of sixteen sections or other school lands and to secure the interest thereon for the public schools of the State.

By Mr. Dark—

H. B. 861. To prevent stock from running at large in Alexander City, beat number two, in Tallapoosa county, and to authorize an election thereon.

By Mr. Carter—

H. B. 862. To amend an act to authorize the commissioners court of Crenshaw county to establish or abolish stock law districts, approved November 27, 1888.

By Mr. Ledyard—

H. B. 863. To regulate Mobile harbor.

By Mr. Bradley (by request, with notice of proof)—

H. B. 864. For the relief of S. F. Pennington, late sheriff of Lamar county.

Also (by request),

H. B. 865. To authorize N. L. Trull to survey and establish lines in Fayette county, in the State of Alabama.

Also,

H. B. 866. To incorporate the Vernon Institute.

Also,

H. B. 867. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, beverages or bitters, or fruits preserved in alcoholic liquors, within three miles of Salem church in Goode precinct, in Lamar county.

By Mr. Porter—

H. B. 868. To confirm the incorporation of "The Young Men's Christian Association of Birmingham" a body corporate



created under the general laws of Alabama, and to grant additional powers to said corporation, and prescribe the method by which it may mortgage or alienate its property.

By Mr. Darby—

H. B. 869. For the relief of G. W. Buchanan of the county of Pike.

By Mr. Smisson—

H. B. 870. To authorize the establishment of licensed grave yards.

Also,

H. B. 871. To regulate the selections of students for beneficiary scholarships in the Medical College of Alabama.

By Mr. Pettus—

H. B. 872. To amend section 4504 of the Code.

Also,

H. B. 873. To amend section 4564 of the Code.

Also,

H. B. 874. To amend section 4654 of the Code.

Also,

H. B. 875. To amend section 4575 of the Code.

Also,

H. B. 876. To amend section 4655 of the Code.

Also,

H. B. 879. To amend section 4648 of the Code.

Also,

H. B. 878. To amend section 4641 of the Code of Alabama.

Also,

H. B. 879. To provide for the payment of costs on convictions of felony where the defendant is sentenced to imprisonment in the penitentiary.

The foregoing bills were severally read the first time and referred to appropriate committees as follows :

House bills 868, 870, 872, 873, 874, 875, 876, 877, 878, 879, to judiciary.

House bills 853, 854, 855, 856, 858, 861, 862, to revision of laws.

House bills 857, 867, to temperance.

House bills 864, 869, to accounts and claims.

House bills 850, 866, to education.

House bills 852, 857, to appropriations.

House bill 860, to ways and means.

House bill 871, to public health.

House bill 865, to local legislation.

House bill 849, to special committee of Montgomery and Autauga delegation.

House bill 863, special committee of Mobile delegation, to report at any time.

On motion of Mr. Shorter, Mr. Clements in the chair,

H. B. 476 was recommitted to the committee on ways and means.

#### REPORT OF JOINT COMMITTEE.

Mr. Lay, from the committee on the offices of auditor and treasurer, submitted the following report, which, on motion of Mr. Wiley, was received, and the committee discharged.

*Mr. Speaker:*

The joint committee appointed to examine the offices of the State auditor and treasurer respectfully report :

We have examined the two offices in the following manner : On the day the present treasurer, Mr. John L. Cobbs, qualified and was installed into office we personally examined the office of the State treasurer, and made a careful count of the funds and bonds on hand, and checked the result with the books in the office ; and saw that the proper receipts were executed by the incoming to the out-going treasurer.

We employed two expert accountants to assist us in examining the books, accounts and vouchers in the auditor's and treasurer's office. These accountants made a careful and searching examination of all the accounts, and vouchers, and books of both offices for the two years ending November, 1888, and compared the one with the other.

These gentlemen, Mr. W. Turner and Mr. J. E. Mann, were engaged in this examination for thirty-eight days, and made to the committee a very full report, which we submit herewith.

It is a source of congratulation to us as a committee and as citizens, that we were enabled to procure the services of these gentlemen.

In counting the currency in the treasurer's office Mr. F. M. Billing, of Montgomery, kindly gave us the benefit of his well known abilities, for which we are very grateful.

We take the greatest pleasure in assuring the people of Alabama, through this general assembly, that the finances of this State through these offices have been managed with skill, honesty and diligence.

The retiring treasurer, Mr. F. H. Smith, returns to private

life with a record to be emulated, and deserves, as he has, the confidence and esteem of his fellow citizens.

The retiring auditor, Maj. M. C. Burke, deserves the reputation that he has established, being peculiarly adapted to the discharge of the delicate and intricate duties devolving upon the auditor of this State. His execution of the revenue laws has been marked with great ability, diligence and success.

Such officers furnish additional proof of the ability of the people to govern themselves.

Having completed its duties, your committee ask to be discharged.

W. A. HUNDLEY, Chairman.  
GEO. C. ALMON,  
D. H. LAY,  
J. F. WHITE,  
J. M. CUNNINGHAM.

The hour of 6 p. m. having arrived, the house stood adjourned till to-morrow at 10 a. m.

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### THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
TUESDAY, February 5, 1889.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Weaver, of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meadow, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stausel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

## RECONSIDERATION.

Mr. Pettus moved to reconsider the vote by which—

H. B. 225. To form a new county to be called Warrior, was lost on yesterday, and to postpone consideration of said motion until disposition of the special orders.

The motion to postpone was carried.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following bills correctly engrossed, to-wit :

Nos. 593, 567, 723, 428, 788, 482, 487 and 653.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee beg leave to report the following bills properly enrolled :

H. B. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee and Cleburne counties.

H. B. 45. To incorporate the Farmers Alliance Exchange, of Alabama.

H. B. 556. To prohibit the driving of logs, timber, or lumber on that part of the Choctawhatchie river in this State below the town of Newton, in Dale county.

H. B. 140. To amend section 4053 of the Code of Alabama, so far as relates to the county of Madison.

H. B. 208. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose of purchasing school lots in said city, and of erecting, adding to and improving school buildings and furnishing the same.

H. B. 459. To amend section ten of an act entitled an act to incorporate the inhabitants and territory formerly embraced in the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor.

H. B. 153. To amend an act to amend and extend the charter of the Mobile Mutual Insurance Company, approved February 6, 1866, and to change the name of said

company, and to amend and act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved February 4th, 1867, and to amend an act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved February 6, 1866, approved August 11th, 1868, which last act was approved February 17th, 1885.

H. B. 90. To provide for a charter for the city of Jasper, in Walker county, Alabama.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the above report from committee on enrolled bills.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

Bills and joint resolutions were introduced :

By Mr. Stansel—

H. J. R. 6. To accept the grant of Congress under the provisions of an act, approved July 2, 1862, and of the acts supplementary thereto.

By Mr. Dupree—

H. B. 880. To provide for the relief of H. B. Turner of Tallapoosa county.

By Mr. Cunningham—

H. B. 881. To incorporate the Tennessee River and Birmingham Rail Road Company, to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

By Mr. Adams—

H. B. 882. For the relief of C. C. Collier, late tax collector of Bibb county.

By Mr. Pettus—

H. B. 883. To amend section 4533, of the Code.

Also,

H. B. 884. To amend section 10 of the Code.

Also,

H. B. 885. To amend section 4563 of the Code.

The above named and foregoing joint resolutions and

house bills were severally read once, and referred to appropriate committees, as follows :

Joint Resolution No. 6, to revision of laws, with leave to report at any time.

H. B. 882, to local legislation.

H. B. 880, to accounts and claims.

H. B. 881, to corporations.

H. B. 883, to penitentiary and criminal administration.

H. B. 884, 885, to judiciary.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from judiciary committee, reported the following house bills favorably:

H. B. 801. To amend sections 3522, 3523, and 3524, of the Code.

H. B. 744. Authorizing and permitting the board of trustees of the Alabama Insane Hospital to grant the right to open rock quarries on the lands belonging to the said hospital for the purpose of building locks, or dams, in the Warrior river by the United States government free of charge.

H. B. 711. To authorize any person interested in the estate of a decedent to plead the statutes of limitations to any claim against such estate on any settlement thereof.

H. B. 692. To amend section 3682 of the Code of Alabama, with amendment.

H. B. 709. To incorporate the Alabama and Texas Railway Company.

H. B. 702. For the better suppression of gambling.

s. 100. To amend section 1319 of the Code so far as the same relates to the town of Louisville, in Barbour county.

s. 118. In relation to the admission of insane criminals into the Alabama Insane Hospital.

s. 181. To make it lawful to sell, give away, or otherwise dispose of spirituous, vinous, and malt liquors on the the property fronting on the North side of Monroe street, in the city of Montgomery, except in the store fronting forty-five feet on said street, at the corner of Court street.

s. 192. To establish the city court of Decatur.

Mr. Stansel, from the committee on revision of laws, reported the following house bills favorably :

H. B. 830. To amend section 3683 (5028) of the Code of Alabama.



H. B. 577. To regulate the trials of misdemeanors in Shelby county,

With amendment.

H. B. 124. To reduce and fix the commissions of the tax collector of DeKalb county.

H. B. 123. To reduce and fix the commissions of the tax assessor of DeKalb county.

H. B. 779. To allow the hunting and killing of deer in certain portions of Perry county.

H. B. 780. To repeal an act defining the county line between Perry and Dallas counties, approved December 28th, 1868.

Mr. Hogue moved to take from adverse calendar,

H. B. 715. To repeal section 1120 and to amend sections 1159, 1160, 1166, 1167 and 1168 of the Code of Alabama, and to amend sections 1 and 5 of an act entitled an act, entitled an act to provide for the comfort and accommodation of passengers at each of the passenger stations along the line of every railroad operated by any railroad company or person in this State, approved February 28th, 1887.

Carried, and the bill was read a second time.

Mr. Moseley moved to take from adverse calendar,

H. B. 346. To amend section 1754 of the Code.

Carried, and the bill was read a second time.

Mr. Nelson moved to take from adverse calendar—

H. B. 634. To secure to the mortgagor an appraised value of his property when sold by the mortgagee.

Carried, and the bill was read a second time.

Also,

H. B. 694. To grant to the Dayton and Faunsdale Railroad Company the right of way through section 16 in township 17, range 5, east, Marengo county.

Carried, and bill read a second time.

Mr. NeSmith called up from adverse calendar, and moved to place upon the calendar—

H. B. 465. To allow persons over the age of twenty-one years to practice law in the courts of justices of the peace and notaries public in the county of Lawrence.

Lost.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills:

H. B. 773. To amend an act entitled an act to establish and incorporate the Scott Academy at Scottsboro, in Jackson county, approved February 16, 1883.

H. B. 592. To create a separate school district in Marion and Lamar counties, and to define the boundaries thereof.

H. B. 815. To incorporate the Piedmont College, in the town of Piedmont in the county of Calhoun, and State of Alabama.

H. B. 799. To amend an act entitled an act to constitute the city of Greenville a separate school district, and to provide for the management of the public schools of said district.

H. B. 529. To incorporate the International Naval Academy of Mobile.

Mr. White, of Dallas, from committee on appropriations, reported favorably to the bills :

H. B. 293. To repeal an act to regulate the publication of legal notices in Shelby and other counties therein named, approved March 3d, 1870, so far as the same relates to Marion county, approved February 4th, 1885,

(With substitute).

s. 231. For the relief of Samuel J. Bolling and Warren R. Thagard, as sureties on the official bond of Jonathan L. Powell as judge of probate for Butler county, Alabama.

H. B. 243. For the relief of soldiers maimed or disabled, during the late war, and the widows of confederate soldiers whose husbands were killed or died in said war, and who have not since re-married,

With a substitute.

Mr. Watson, from the committee on local legislation, reported favorably to the bills :

H. B. 632. To bar certain claims of witness registered against the fine and forfeiture fund of Bullock county,

(With substitute and amendment).

H. B. 813. To repeal an act entitled an act to prevent the sale, giving away or otherwise disposing of any spirituous, vinous liquors, intoxicating bitters, or any other intoxicating drinks, within the limits of Fayette county, and other places therein named, approved February 17, 1885, so far as the same relates to Fayette county.

H. B. 790. To change the name of the town of Brundidge, Pike county, Alabama.

Mr. Williams moved to take from the adverse calendar and put upon the calendar—

H. B. 505. For the preservation of game animals and birds in the county of Calhoun.

Carried, and bill read a second time.

Mr. McElderry, from the committee on public roads and highways, reported favorably to the bills :

H. B. 808. To provide for the more efficient working of the public roads in Cullman county.

H. B. 867. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating drinks, beverages or bitters, and fruits preserved in alcoholic liquors in three miles of Salem church in Good's precinct, Lamar county.

Mr. Porter, from the committee on federal relations, reported favorably to the bills :

H. B. 777. To provide for a record of the lands which have been, or may hereafter be granted to the State by the United States and the disposition thereof.

H. B. 732. To empower the governor of Alabama to re-convey to the United States a certain tract of land described in this bill :

Mr. Ledyard, from the committee on military, reported favorably to the bills—

s. 232. To incorporate the Marion Military Institute in Marion, Perry county, Alabama.

(With a substitute for)

H. B. 748. For the relief of soldiers maimed or disabled during the late war, and the widows of Confederate soldiers whose husbands were killed or died in said war, and who have not since married.

Mr. Cunningham, from the committee on accounts and claims, reported favorably to the bill—

H. B. 760. For the relief of H. McVay Moore, ex-sheriff of Lauderdale county, Alabama.

Mr. Wiley, from the committee on fees and salaries, reported favorably to the bills :

H. B. 794. To amend section 4887 of the Code;

With a substitute for

H. B. 750. To amend section 97 of the Code.

s. 158. To amend section 3217 of the Code.

Mr. Winston, from a special committee, reported favorably to the bill :

H. B. 698. To designate and establish the south, east and west boundary lines of Marshall county,

(With amendment).

Mr. Lowe, from the committee on corporations, reported favorably to the bills :

H. B. 675. To incorporate the Florence Belt Railroad & Improvement Company,

(With amendment).

H. B. 674. To confirm the incorporation of the Florence Railroad & Improvement Company, and to define and declare the powers of said company.

H. B. 527. To amend the charter of the Shelby Iron Company.

H. B. 614. To create a new charter for the city of Florence.

With a substitute for

H. B. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4, 1879, and the various acts amendatory thereof.

The foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed,

H. B. 490. To amend the act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

And has amended as therein shown, and as amended has passed,

H. B. 125. To amend section 716 of the Code of Alabama, fixing the times of holding the chancery courts in the southeastern chancery division.

And has adopted a joint resolution, herewith sent, requesting the senators and representatives in congress from Alabama, to use their earnest endeavors to secure a donation of lands or money to aid in establishing a State female industrial school and university in Alabama for white girls.

And has originated and passed the following bills :

s. 7. To incorporate the Anniston Water Supply Company.

s. 245. To authorize and empower the court of county commissioners of Tallapoosa county to borrow money to complete the settlement of the bonded indebtedness of said county.

s. 299. To amend sections 3546 and 3547 of the Code of Alabama.

And ordered the last bill forthwith to the house without engrossment.

And has originated and passed, and ordered forthwith to the house without engrossment,

s. 244. To amend the charter of the Birmingham Trust & Savings Company, incorporated under the general laws of Alabama.

s. 267. To amend section 3 of an act entitled an act to amend section 12 and section 16 of an act to incorporate the town of Livingston in Sumter county, approved January 25, 1867, and to amend section one of an act to define the corporate limits of the town of Livingston, in Sumter county, Alabama, approved February 24, 1872; approved January 16, 1877.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE

The senate bills whose titles are set out in the foregoing message were severally read one time and referred to appropriate committees as follows:

s. 224, 7, to corporations.

s. 267, to local legislation.

s. 245, 299, to judiciary.

The joint resolution in regard to donations of land for female industrial school was, on motion of Mr. Hogue, laid on the table.

On motion of Mr. Rabb, the senate amendment to

H. B. 125. To amend section 716 of the Code of Alabama, fixing the times of holding the chancery courts in the southeastern chancery division;

Was concurred in—

Yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Carter, Clark, Clements, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Stansel, Stone, Stowers, Tatam, Wade, Ward, Watson, Weaver, Williams, Winston, White of Geneva—69.

## SPECIAL ORDERS.

*First.*

H. J. R. 3. To provide for submitting the question of a constitutional convention to the people.

The resolution was read the third time at length and passed—yeas 68, nays 25.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bush, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Rabb, Rattray, Russell, Sowell, Smaw, Smisson, Smith, Stansel, Tatum, Wade, Walker, Ward, Watson, Weaver, Williams, Winston—68.

Nays—Messrs. Anderson, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Hardy, Hogue, Lay, Meador, Moseley, McElderry, Pitts, Pettus, Powell, Pratt, Simmons, Stone, Watters, Webb, Wiley, Woolf, White of Dallas and White of Geneva—25.

*Second.*

H. B. 731. To provide for conducting farmers' institutes in the State of Alabama.

The bill was read the third time at length and passed; yeas 75, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—75.

Nays—Messrs. Carter, Darby, Mancill—3.



*Third.*

H. B. 166. To provide depositories for the funds of the State.

Amendments of the committee were offered as follows:

1st. Amend line 1, page 3, by inserting after the word "to," "five *per cent.* in excess of."

Adopted.

2d. Amend section 4 by inserting before the words "Alabama" and "United," the word "registered," and strike out the words "that can be registered," where they appear in said section 4.

Adopted.

3d. Amend section 4, p. 3, by striking out the words, "if the bonds deposited are registered," and by striking out the balance of the sentence in line 13, beginning with the word "but," and ending with the word "company."

Adopted.

4th. Amend section 2 so as to read, "but the treasurer may keep on hand as much as *twenty* thousand dollars."

Adopted.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bill, your signature thereto is requested:

s. 109. To provide for the settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph, and Tallapoosa, to the State of Alabama.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the senate bill whose title is set out in the above message.

## SPECIAL ORDER.

The house resumed consideration of—

H. B. 166. To provide a depository for the funds of the State.

Mr. Winston offered the following amendment:

Amend by putting the word "person or persons," after the words "bank or banker," wherever they occur in the title or body of the bill;

Which, on motion of the speaker, (Mr. Hogue in the chair), was laid upon the table.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m., to-day.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Rabb, from a conference committee, submitted the following report:

*To the Senate and House of Representatives :*

The conference committee to whom was referred the disagreement of the two houses in reference to the house amendments to the senate bill,

s. 137. To amend section 749 of the Code,

Have had the same under consideration and recommend that the senate concur in the house amendment.

And we further recommend that the caption of said bill be amended as follows :

Amend the caption of the bill by inserting between the words "amend and section" the words "paragraph one, two, three and four of the second subdivision of."

Respectfully submitted,

I. H. PARKS,  
N. STALLWORTH,  
D. WILLIAMS,  
Com. on part of Senate.  
M. A. RABB,  
R. A. LEE,  
J. T. WATSON,  
Com. on part of House.

The report was concurred in—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Carter, Clark, Clements, Cunningham, Curtis, Dark, Dupree, French, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Mancill, Meador, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Russell, Simmons, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Williams, Winston, Woolf, White of Geneva—59.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed, and ordered forthwith to the house without engrossment,

s. 22. To release the Tennessee and Coosa Railroad Company from its indebtedness to the State of Alabama.

s. 253. To amend and ratify the charter of the Birmingham Safe and Lock Company, incorporated in Jefferson county under the general statutes of said State, and to extend and enlarge the powers of said company.

s. 260. To amend sections 1 and 3 of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

s. 269. To incorporate an educational institute in the city of Demopolis, under the name and style of the Marengo Military Academy.

s. 207. To amend an act to incorporate the city of Tuscaloosa, approved March 12, 1873, by amending section 55 of said act.

s. 241. To amend sections 1, 8, 9, 12, 13 and 14 of an act to create a board of education for the town of Decatur, and to prescribe the duties of the same.

s. 281. To repeal an act to divide Marengo county into four commissioners' districts, approved January 23, 1867.

s. 282. To amend an act to regulate the disbursement of the proceeds derived from the hire of convicts in Marengo county, approved December 9, 1886.

s. 272. For the relief of W. R. H. Loden, late sheriff of Marion county.

s. 268. For the relief of Arthur Vinson, of Franklin county.

s. 233. To regulate the trials of misdemeanors in Barbour county.

s. 295. To authorize and require the register in chancery of Franklin county to make and keep in his office general direct and indirect index books of the minute dockets, register order books, execution dockets, and final records of said court of chancery, and to complete the indexes of said books.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees as follows :

s. 207, 272, 233, 268, to judiciary.

s. 295, 269, 22, 260, to revision of laws.

s. 253, to corporations.

s. 281, to local legislation.

s. 241, to education.

s. 282, to penitentiary and criminal administration.

#### SPECIAL ORDER.

The house resumed consideration of

H. B. 166. Providing for a depository of the funds of the State.

The bill was read the third time at length and lost—yeas 40, nays 52.

Yeas—Messrs. Speaker, Anderson, Bevis, Bogart, Bush, Carter, Clark, Cunningham, Hampton, Hardy, Hogue, Johnson, King, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Meador, Moseley, McElvey, McLendon, McLeod, McRee, Nisbet, Patton, Pitts, Porter, Pratt, Smisson,

Stansel, Stone, Walker, Watters, Williams, White of Dallas, White of Geneva—40.

Nays—Messrs. Adams, Allen, Arrington, Benners, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Curtis, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Henderson, Higgins, Hundley, Kemp, Lay, Long, Maley, Miller, McElderry, Nelson, Paine, Parker, Pettus, Posey, Powell, Rabb, Rattray, Russell, Simmons, Smaw, Summers, Smith, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Winston, Woolf—52.

Mr. Winston moved to reconsider the vote by which the bill was lost, and then moved to lay that motion on the table.

Mr. Lowe moved to adjourn.

Lost.

Pending consideration of Mr. Winston's motion, to lay upon the table, the hour of 6 p. m. arrived, and the house stood adjourned till 10 a. m. to-morrow.

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### THIRTY-THIRD DAY.

#### HOUSE OF REPRESENTATIVES,

Wednesday, February 6, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Sellars of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dennson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted to Messrs. King and Hampton for one day.

## ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report the following correctly engrossed, to-wit:

Nos. 425, 638, 578, 497, and joint resolution No. 3.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following bills as correctly enrolled:

H. B. 490. To amend the act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12th, 1882.

H. B. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding three hundred thousand dollars, for the purpose of completing the court house, and for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail of said county.

H. B. 125. To amend section 716 of the Code of Alabama, fixing the times and places of holding the chancery court in the southeastern chancery division.

B. M. MILLER,  
Chairman of Committee.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the above and foregoing report of the committee on enrolled bills.

On motion of Mr. Hogue—

s. 349. Requesting the senators and representatives in congress from Alabama, to use their earnest endeavors to secure a donation of lands or money to aid in establishing a State



Female Industrial School and Universty in Alabama for white girls,

Was taken from the table and referred to the committee on education.

By leave, Mr. Winston withdrew his motions to reconsider and to table the vote by which

H. B. 166. To provide for a depository of the State funds, Was lost on yesterday.

#### RECONSIDERATION.

The vote by which—

H. B. 225. To form a new county to be called Warrior, Was lost, was reconsidered.

The bill was lost—yeas 56, nays 29.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bonrdeaux, Bush, Blevins, Carter, Cochrane, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Johnson, Knight, Kyle, Ledyard, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Smaw, Smith, Stowers, Tatum, Walker, Watson, Weaver, Williams, Winston, Woolf, White of Geneva—56.

Nays—Messrs. Bolton, Bradley, Brown, Clark, Clements, Cornelius, Curtis, Dykes, Files, French, Hardy, Higgins, Kemp, Lay, Lee, Lewis, Long, Mancill, NeSmith, Patton, Pettus, Simmons, Summers, Smisson, Stansel, Stone, Ward, Watters, White of Dallas—29.

#### INTRODUCTION OF BILLS.

Bills were introduced :

By Mr. Porter—

H. B. 886. To authorize and empower railroad corporations incorporated prior to the Code of 1886, under any general laws of incorporation of the State, to acquire and hold, or to hold lands or any estate, or interest therein when received in payment of subscriptions to or for the capital stock of such corporations.

By Mr. Knight—

H. B. 887. To incorporate the Sheffield and Seaboard Railroad company, and to further the construction of said railroad.

By Mr. Arrington—

H. B. 888. To amend an act entitled an act for the preservation of game animals and birds in the counties of Sumter and Chilton, approved Feb. 23, 1887.

By Mr. Maley—

H. B. 889. To amend section 457 of the Code of Alabama.

By Mr. McElderry—

H. B. 890. To amend the charter of the first Presbyterian church of Talladega, Alabama.

By Mr. Fitzpatrick (by request)—

H. B. 891. To amend section 1594 of the Code of Alabama.

By Mr. McRee—

H. B. 892. To incorporate the military company known as the Lowndes Rifles, of Lowndes county.

By Mr. Russell—

H. B. 893. To allow T. J. Middlebrooks of Lowndes county to sell a certain medicine known as and called Middlebrooks' "Oil of Life;" also a medicine known as and called Middlebrooks' "Chill Tonic," in the State of Alabama without payment of any license.

By Mr. Adams—

H. B. 894. To amend section 4140 of the Code of Alabama.

By Mr. Clements—

H. B. 895. To provide for the election of two county surveyors of Tuscaloosa county.

By Mr. Curtis (by request)—

H. B. 896. To prohibit the manufacture, sale, and disposing of spirituous, vinous or malt liquors or other beverages, within five miles of the academy in the town of Hillsboro, Lawrence county, Alabama.

By Mr. Lewis—

H. B. 897. To amend subdivision 22 of section 629 of the Code.

Also,

H. B. 898. To further regulate the compensation of water supply companies in this State.

By Mr. Stowers—

H. B. 899. To amend section 1420 of the Code of 1886, so far as the same relates to Bullock county.

By Mr. Lowe—

H. B. 900. To change the name of the East Birmingham Land Company, a corporation organized under the general incorporation laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to "The East Birmingham Land and Railroad Company," and to

further enlarge the powers, rights, franchises and privileges of said corporation.

Also,

H. B. 901. To regulate the hiring and working of persons convicted of a misdemeanor.

Also,

H. B. 902. To regulate the practice and proceedings in civil cases in the circuit court of Jefferson county, in this State, and in the supreme court on appeal from judgments rendered in said cases.

By Mr. Hundley—

H. B. 903. To regulate the registration and payment of the fees due State witnesses before the grand jury where the defendant is not arrested.

By Mr. Pitts—

H. B. 904. To provide for the payment of deputy solicitors.

By Mr. Bush—

H. B. 905. To authorize the running at large of stock in districts in which stock are not permitted to run at large, and in districts that may hereafter be established in which stock shall not be permitted to run at large from December 1st to February 14th of each year in Barbour county.

By Mr. Powell—

H. B. 906. To fix the commissions of the tax assessor of Bullock county;

Also,

H. B. 907. To amend an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8, 1880.

By Mr. NeSmith—

H. B. 908. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in the town of Moulton, in Lawrence county, Alabama, and within five miles thereof, or to deliver any of such liquors to persons in said town, or within five miles thereof.

By Mr. Smaw—

H. B. 909. To amend section 3874 of the Code.

By Mr. Long—

H. B. 910. To incorporate the town of Haleysville, in the county of Winston.

By Mr. Denson—

H. B. 911. To amend an act entitled an act to fix the price of license to be paid for State and county purposes by any person who applies for licenses to retail or wholesale

vinous, spirituous or malt liquors in any part of beat number 8, in Chambers county, Alabama, approved December 12, 1888.

By Mr. Stansel—

H. B. 912. To prevent the sale, manufacture, or giving away of spirituous, vinous or malt liquors, within five miles of Union Chapel church, in Pickens county.

By Mr. White of Dallas—

H. B. 913. To provide for the payment of the salary of the solicitor of the 10th judicial circuit.

By Mr. Longshore (by request),

H. B. 914. To provide for and regulate the sale of spirituous, vinous and malt liquors at Shelby Springs, in the county of Shelby, State of Alabama.

By Mr. Smaw—

A petition from citizens of Greene county in favor of local option.

The following bills were severally read one time and referred to appropriate committees as follows :

H. B. 904, 903, 902, 895, to judiciary.

H. B. 889, 894, 898, to revision of laws.

H. B. 893, 897, 911, to ways and means.

H. B. 890, 891, 892, 900, 910, to corporations.

H. B. 914, 896, 908, 912, Mr. Smaw's petition, to temperance.

H. B. 907, 909, to agriculture.

H. B. 913, to appropriations.

H. B. 906, to fees and salaries.

H. B. 886, to commerce and common carriers.

H. B. 899, to public roads and highways.

H. B. 887, 888, 905, to local legislation.

H. B. 901, to penitentiary and criminal administration.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills,

H. B. 873. To amend section 4564 of the Code.

H. B. 874. To amend section 4654 of the Code.

H. B. 876. To amend section 4655 of the Code.

H. B. 878. To amend section 4641 of the Code.

With an amendment to

H. B. 879. To provide for the payment of costs in convictions of felony, where the defendant is sentenced to imprisonment in the penitentiary.

H. B. 872. To amend section 4504 of the Code.

H. B. 877. To amend section 4648 of the Code.

H. B. 885. To amend section 4563 of the Code.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably, with amendments, to the bill,

H. B. 819. To provide for the employment of a temporary clerk in the office of the board of inspectors of convicts.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills,

H. B. 859. To amend section 1085 of the Code.

H. B. 856. To authorize and empower the commissioners court of Shelby county to appropriate three thousand dollars per annum, for the years 1890 and 1891, out of the general fund in the county treasury, to aid the free public schools of said county.

H. B. 829. To amend section 3365 of the Code.

H. B. 810. To provide for the election of township trustees of public schools by a vote of the people in the counties of Cullman, Blount, Lawrence and Covington.

H. B. 837. For the relief of James H. Simms, of Mobile county.

H. B. 828. To compensate clerks of the circuit court for collecting and paying over solicitor's fees.

s. 215. To prohibit the sale of spirituous, vinous or malt liquors in township 17, range 6 east, in Perry county, except within the corporate limits of Uniontown, Perry county, Alabama.

s. 178. To authorize and empower Louisa W. Henderson, administratrix of the estate of John Henderson, deceased, to purchase lands for estate under sale or sales of same, when made under mortgage or mortgages, or deed or deeds of trust, executed to intestate in his life time, and to sell the land, or any part thereof, to purchasers either at private or public sale, and to make good and sufficient deeds of conveyance to same.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bill,

H. B. 792. To create the town of New Decatur a separate school district, to incorporate the same and define its power and duties,

(With amendment).

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

H. B. 803. To incorporate the Alabama Loan & Banking Company of Florence, Alabama.

H. B. 778. To authorize the sale of spirituous, vinous, malt liquors, intoxicating bitters, fruits or beverages, within the corporate limits of the city of Greenville, Butler county, Alabama.

Mr. Hampton, from the committee on public health, reported favorably to the bill,

H. B. 871. To regulate the selections of students for beneficiary scholarships in the Medical College of Alabama.

Mr. Watson, from the committee on local legislation, reported favorably to the bills—

H. B. 480. To prevent stock from running at large in beat 7, in Chambers county.

H. B. 865. To authorize N. L. Trull to survey and establish lines in Fayette county in the State of Alabama.

H. B. 846. To repeal an act entitled an act to authorize the laying off the county of Pike into commissioners districts and providing for the election of commissioners by the qualified voters of the county.

Mr. Cunningham, from the committee on accounts and claims, reported favorably to the bills—

H. B. 869. For the relief of G. W. Buchanan of the county of Pike.

H. B. 587. For the relief of W. S. Page of the county of Jackson.

Mr. Bush, from the committee on agriculture, reported favorably to the bill—

H. B. 756. To amend an act entitled an act for the protection of animals and game in the counties of Hale, Cullman and Greene, approved February 26, 1887, so far as the same applies to Hale county.

Mr. Lay, from the committee on ways and means, reported favorably to the bills—

H. B. 781. For the relief of the tax collector of Mobile county.

H. B. 747. To amend section 614 of the Code, so as to provide for the more certain collection of escaped taxes and for the better description of lands sold for taxes and bid in by the State.

Mr. Pratt, from a special committee, reported favorably, (with a substitute), to the bill—

H. B. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river, at or near the city of Montgomery, and to authorize the board of



revenue of Montgomery and Autauga counties severally to issue bonds to pay for the same.

The foregoing bills were severally read a second time and placed on the calendar.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed—

H. B. 499. To fix the time and place of holding the chancery court for Monroe county, Alabama.

H. B. 137. To establish a separate school district to be known as Union district, in Limestone county.

H. B. 236. To amend an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove, out of a part of township 5, range 6, east.

H. B. 345. To amend an act approved February 1, 1872, entitled an act to incorporate the Female Institute of the Tennessee Annual Conference of the Methodist Episcopal Church, at Athens, Alabama.

H. B. 387. To incorporate the Gadsden Female Institute, in the city of Gadsden.

H. B. 370. Fixing and prescribing the compensation to be paid the county treasurer of Jefferson county.

H. B. 196. To provide for furnishing tools to work the public roads in Marshall county, by the court of county commissioners of said county, and to provide for the safe keeping of said tools.

H. B. 287. To amend an act entitled an act to change the manner of appointing overseers and apportioners of roads in the county of Russell. The provisions which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled an act to repeal and amend the road law in Jackson county.

H. B. 321. To amend an act entitled an act granting the right of way to the Nashville & Chattanooga Railroad Company through Jackson county, and the privilege of constructing a bridge across Tennessee river in said county, approved January 21, 1850.

And has originated and passed, and ordered forthwith to the house without engrossment—

s. 298. To confirm the incorporation of the town of New Decatur in the county of Morgan, and to enlarge and define the corporate powers of said town.

s. 259. To incorporate the Fidelity Mortgage and Trust Company of Alabama.

And has originated and passed—

s. 257. To provide for the answering by corporations of interrogatories propounded under the provisions of section 2816 of the Code.

s. 266. To authorize the widow of James M. Bullock, deceased, to administer his estate in Mobile county upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

s. 218. For the relief of H. McVey Moore, late sheriff of Lauderdale county.

s. 264. For the relief of George T. Taylor of Crenshaw county, Alabama.

s. 318. For the relief of William W. Jones.

s. 229. To incorporate the Birmingham Female College.

s. 254. To repeal section 4140 of the Code of Alabama.

WM. L. CLAY,

Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 259, 298, 257, 318, to judiciary.

s. 266, 218, 254, to revision of laws.

s. 229, to corporations.

s. 264, to local legislation.

#### BILLS ON THIRD READING.

On motion of Mr. White of Dallas,

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers whose husbands were killed or died in said war, and who have not since re-married,

Was taken up.

Substitute offered by the committee was adopted.

Mr. Winston offered an amendment.

Mr. White, of Dallas, moved to lay Mr. Winston's amendment on the table.

Lost.

Yeas 39, nays 46.

Yeas—Messrs. Speaker, Benners, Billingslea, Bogart, Bush, Cochrane, Cunningham, Dark, Denson, Fitzpatrick, George, Hardy, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Meador, Miller, Moseley, McLeod, Nisbet, Paine, Patton, Pettus, Pitts, Posey, Pratt, Smaw, Smisson, Smith, Stowers, Ward, Watters, Webb, Williams, Woolf, White of Dallas—39.

Nays—Messrs. Adams, Allen, Arrington, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Curtis, Dupree, Dykes, Files, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Long, Longshore, Lowe, Maley, McElvey, McLendon, McRee, Nelson, NeSmith, Parker, Porter, Powell, Rabb, Ratray, Russell, Simmons, Summers, Stansel, Stone, Wade, Walker, Watson, Weaver, Winston, White of Geneva—46.

Mr. Winston's amendment was adopted.

The bill was read a third time at length and passed.

Yeas 88, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—88.

On motion of Mr. Pettus, house bills 873, 687, 874, 876, 877, 878, 879, 872, and 885, were made a continuing special order for 11th day of February, after reading the journal.

On motion of Mr. Lowe,

H. B. 164 was recommitted to the committee on corporations.

#### RESOLUTION.

Mr. Ledyard offered the following resolution :

*Resolved by the House of Representatives* (the Senate concurring), That the governor be authorized to use so much of the quarantine fund as may be necessary for publication

of the proceedings of the quarantine conference to be held in March next;

Which was referred to the committee on public health.

The hour of 1:30 p. m. having arrived, the house stood adjourned until 3:30 p. m. to-day.

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#### AFTERNOON SESSION.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—98.

Mr. Wade moved that s. 22 be recalled from the committee on revision of laws and referred to commerce and common carriers.

Lost.

On motion of Mr. Cochrane, H. B. 607 was made a special order for Tuesday next, after reading the journal.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Hundley—

s. 192. To establish the city court of Decatur.

The bill was read the third time at length and passed.

Yeas 69, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bush, Blevins, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Higgins, Hundley, Kemp, Knight, Lay, Led-

yard, Lee, Lewis, Long, Longshore, Lowe, Maley, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

By Mr. Billingslea—

H. B. 645. To declare I. T. Cain, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Ben-ners, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Paire, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Smaw, Summers, Smith, Stansel, Wade, Walker, Watson, Webb, Williams, Winston, White of Dallas, White of Geneva—60.

By Mr. Hardy—

H. B. 646. To declare F. M. Dansly, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

The bill was read a third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis, Billingslea, Bolton, Boudeaux, Blevins, Clark, Cochrane, Cunningham, Curtis, Darby, Dark, Files, Fitzpatrick, Hampton, Hardy, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Long, Longshore, Mancill, Maley, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Posey, Powell, Summers, Smith, Stansel, Stowers, Wade, Walker, Webb, Williams, Winston, White of Dallas, White of Geneva—53.

By Mr. Pettus—

H. B. 627. To regulate the assessments of property after the completion of his sittings by the tax assessor of Barbour county.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Ben-ners, Bevis, Billingslea, Bolton, Blevins, Bradley, Clark, Cornelius, Cunningham, Curtis, Dark, Dupree, Files, Fitzpatrick, French, Hampton, Higgins, Hogue, Hundley, Knight, Ledyard,

Lee, Maddox, Maley, Miller, Moseley, McElvey, McElderry, McLendon, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Posey, Powell, Rabb, Ratray, Russell, Simmons, Smaw, Summers, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Webb, Williams, White of Dallas, White of Geneva—55.

By Mr. White of Dallas—

H. B. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12, 1888.

The bill was read the third time at length and passed—yeas 56, nays 1.

Yeas—Messrs. Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bolton, Bush, Blevins, Brown, Clark, Cornelius, Dark, Dupree, Dykes, French, Hampton, Hardy, Henderson, Hundley, Kemp, Knight, Ledyard, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLeod, McRee, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Ratray, Russell, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Webb, Williams, White of Dallas, White of Geneva—56.

Nay—Mr. Johnson—1.

By Mr. Blevins—

s. 140. To require all persons hereafter holding, and now holding claims as State witnesses in any of the courts of DeKalb county against the fine and forfeiture fund, to have them registered; to require the treasurer of DeKalb county to keep a book in which such claims can be registered and to require the treasurer to make a record of the settlement of such claims.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Dark, Dupree, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Ledyard, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rabb, Russell, Simmons, Summers, Smisson, Smith, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—63.

By Mr. Parker—

H. B. 547. To regulate the fine and forfeiture fund of Elmore county.



The bill was read the third time at length and passed—yeas 63, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bradley, Brown, Cornelius, Curtis, Darby, Dark, Denson, Dykes, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rabb, Russell, Simmons, Smisson, Smith, Stone, Stowers, Tatum, Wade, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

Mr. Johnson voted nay—1.

By Mr. Rabb—

H. B. 652. To empower the township superintendent of township two, of range ten, Escambia county, to sell certain lands.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Curtis, Dark, Dupree, Dykes, French, George, Hampton, Henderson, Hogue, Kemp, Kyle, Ledyard, Lee, Maddox, Maley, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rabb, Rattray, Simmons, Smaw, Summers, Smith, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—56.

By Mr. Wade—

H. B. 761. To incorporate the Walnut Grove college, at Walnut Grove, Etowah county, Alabama.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Cunningham, Curtis, Dark, Dupree, Dykes, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Maddox, Mancill, Maley, Miller, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Pratt, Rabb, Rattray, Simmons, Smaw, Summers, Smisson, Stansel, Stone, Tatum, Walker, Ward, Webb, Williams, Winston, White of Geneva—55.

By Mr. Files—

H. B. 813. To repeal an act entitled an act to prevent the

sale, giving away, or otherwise disposing of any spirituous, vinuous liquors, intoxicating bitters, or any other intoxicating drinks, within the limits of Fayette county, and other places therein named,\* approved Feb. 17, 1885, on pages 570, 571, 572 and 573, so far as the same applies to Fayette county.

The bill was read a third time at length and passed—yeas 44, nays 29.

Yeas—Messrs. Arrington, Barnett, Benners, Billingslea, Boggart, Bolton, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Dark, Denson, Dykes, Files, Fitzpatrick, French, Higgins, Hundley, Kyle, Lewis, Long, Mancill, McRee, Paine, Parker, Pettus, Pitts, Porter, Pratt, Rattray, Simmons, Smaw, Summers, Smisson, Stansel, Stone, Wade, Weaver, Webb, Winston, Woolf, White of Geneva—44.

Nays—Messrs. Speaker, Bevis, Bush, Blevins, Dupree, George, Hampton, Henderson, Johhson, Kemp, Knight, Lay, Ledyard, Lee, Maddox, Maley, Miller, McElvey, McLendon, Nelson, Patton, Posey, Powell, Rabb, Smith, Stowers, Walker, Williams, White of Dallas—29.

By Mr. Bolton—

§ 134. To provide a new charter for the town of Russellville.

Mr. Bolton offered the following amendment :

Amend by striking out, that said town shall consist of the entire section 30, and west half of west half of section 29, and southwest quarter of southwest quarter of section 20, and south half of south half of section 19, township 6, and range 11 west, and insert in lieu thereof :

That the center of said town shall be the old court house square, on which the old court house was situated in section 30, township 6, and range 11 west, in said county, from which point the limits shall extend one-half mile in every direction.

And on motion of Mr. Arrington, the amendment offered by Mr. Bolton, was laid upon the table.

The bill was read the third time at length and passed—yeas 62, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Bevis, Billingslea, Bush, Bradley, Brown, Clements, Cochrane, Cornelius, Dark, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Harby, Henderson, Kemp, Knight, Lay, Ledyard, Lee, Longshore, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Walker, Watson, Watters,

Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

Nays—Messrs. Bolton, Dykes, and French—3.

By Mr. White of Geneva—

H. B. 759. To regulate the issuance of license for the sale of intoxicating liquor in any of the several beats in Geneva county, Alabama.

The bill was read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Barnett, Bevis, Bogart, Bourdeaux, Blevins, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Smaw, Smith, Stansel, Stone, Stowers, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The Senate has originated and passed, and ordered to the house forthwith, without engrossment,

s. 288. To incorporate the Warrior, Attalla and Jasper railroad company.

s. 292. To define and regulate the duties of the recorder of the city of Montgomery in criminal cases.

s. 308. To authorize the Macon and Birmingham railroad company, a corporation under the laws of Georgia, to construct, maintain and operate its railroad within the State of Alabama, and do all other things needful for that purpose.

s. 317. For the relief of Mr. S. C. Block, of Fayette county.

s. 301. To amend the charter of the Age-Herald Company, to ratify and confirm all its acts and doings under said charter, to ratify and confirm the issue by it of preferred stock, and to confer upon it additional powers.

s. 226. To amend section 1442 (1678) of the Code of 1886. Provided the same shall only apply to Marshall county.

s. 303. For the relief of James B. Kornegay, of Marengo county.

s. 270. To prohibit the sale, giving away or otherwise dis-

posing of vinous, spirituous or malt liquors, intoxicating biters or cordials, or fruit preserved in alcoholic liquors within two miles of Union Presbyterian church, Dale county, and Pleasant Ridge Baptist church, in Dale county.

s. 194. To incorporate the Southern Guaranty company.

s. 296. To incorporate the Alabama Synod of the Cumberland Presbyterian church.

s. 333. To change the mode of paying the judge of probate of the county of Lowndes.

s. 334. To dispose of the fees, commissions and allowances or salary allowed by law to the judge of probate in the county of Lowndes.

s. 275. To secure better roads and bridges in the county of Lowndes.

s. 297. To authorize the corporate authorities of the town of New Decatur in the county of Morgan to negotiate a loan for the improvement of the streets, of the sanitary condition of the said town and to issue bonds for the payment of said loan.

And has amended as therein shown, and as amended has passed :

H. B. 322. To prohibit hunting of game or fish on lands of another in beats Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 in Montgomery county, without the permission of the owner of the land, or his or her agent.

And has passed,

H. B. 171. To regulate the State witnesses fees in Hale county, Alabama, and to provide for the payment of the same.

And has originated and passed the following bills :

s. 219. To amend section 1 of an act entitled an act to establish partial stock law districts in Talladega county, so as to include precincts 5 and 1 in said county.

s. 238. To relieve John Sanders, a minor, in the county of Monroe, of all the disabilities of a minor.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 301, 292, 317, 194, 297, 238, to judiciary.

s. 226, to revision of laws.

s. 270, to temperance.

s. 288, 308, 296, to corporations.

s. 275, 334, 333, 219, to local legislation.

The first senate amendment to

H. B. 322. To prohibit hunting of game or fish on lands of another in beats numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, in Montgomery county, without the permission of the owner of the land or his or her agent,

Was concurred in—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bourdeaux, Blevins, Bradley, Brown, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Files, French, Hampton, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Patton, Pettus, Porter, Posey, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—57.

The second senate amendment to house bill 322 was concurred in—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Darby, Dark, Dupree, Dykes, French, George, Hampton, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Smaw, Smith, Stansel, Stone, Stowers, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

The third senate amendment to house bill 322 was concurred in—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson, Dupree, Dykes, Files, George, Hampton, Henderson, Hundley, Kemp, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Lowe, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

On motion of Mr. Lay,

H. B. 481. To authorize the governor to settle with David

G. Allen, one of the sureties on the bond of Isaac H. Vincent, late State treasurer,

Was taken from the adverse calendar, read a second time and placed on the calendar.

MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 6, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills twenty-six (26), forty-five (45), four hundred and sixty-nine (469), ninety-one (91), twenty-eight (28), one hundred and eight (108), one hundred and forty (140), two hundred and eight (208), four hundred and fifty-nine (459), five hundred and fifty-six (556), one hundred and fifty-three (153).

THOS. H. CLARK,  
Recording Secretary.

RESOLUTION.

Mr. Winston offered the following resolution, which was referred to committee on rules :

*Resolved*, That after 12 o'clock Monday, the 11th of February, there shall be no new bills introduced by any member for reference to any committee of this house.

Mr. Hogue offered the following resolution, which was referred to committee on rules :

*Besolved*, That when the house adjourns this evening it be to meet again at 8 o'clock to-night and continue in session till 10 o'clock following.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 30. To amend section 5 of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17, 1885.

s. 152. To amend an act to declare Mary S. Boswell and J. T. Boswell, liners between the counties of Pike and Bullock,



citizens of Bullock county, and to change the line between said counties, approved February 22, 1887.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the above senate message.

The hour of 6 p. m. having arrived the house stood adjourned till to-morrow at 10 a. m.

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### THIRTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
Thursday, Feb. 7, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Sellers, of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnston, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

Journal of yesterday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Mr. Cochrane for one day, and to Mr. Carter indefinitely; to Mr. Billingslea till Monday; to Mr. Rabb till Monday next.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following bills correctly engrossed, to-wit: Nos. 243, 641, 547, 553, 645, 646, 652 and 813.

JOHN V. SMITH,  
Chairman.

## SPECIAL ORDER.

H. B. 347. For the better maintenance of the public schools throughout the State,

Was taken up.

Mr. Rattray offered an amendment, which was adopted.

Mr. Darby offered the following amendment, which was adopted:

To amend section 5 by striking out that part of the bill which permits 20 per cent. to be used in building school houses.

Mr. Meador offered the following amendment, which was lost:

Amend section 2 by adding these words:

"Provided, the money assessed and collected from each county, shall go exclusively to support of the schools in which such amounts are assessed and collected."

Mr. McElderry offered the following amendment, which, on motion of Mr. McLeod, was tabled:

Amend section 2 by adding these words:

"Provided, the money assessed and collected from each township or district shall go exclusively to the support of the schools in which such amounts are assessed and collected.

Yeas 59, nays 23.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bolton, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Lee, Long, Longshore, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Summers, Smisson, Smith, Stansel, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Winston, White of Geneva—59.

Nays—Messrs. Arrington, Barnett, Benners, Bourdeaux,

French, Hardy, Hogue, Knight, Lay, Ledyard, Lowe, Meador, McElderry, McRee, Patton, Pettus, Pitts, Porter, Russell, Smaw, Williams, Woolf, White of Dallas—23.

The bill was read the third time at length and lost—yeas 28, nays 60.

Yeas—Messrs. Allen, Bolton, Blevins, Dykes, Fitzpatrick, George, Hampton, Hundley, Lee, Long, Longshore, Maley, Miller, McElvey, Parker, Pitts, Rabb, Rattray, Simmons, Sowell, Smisson, Smith, Tatum, Walker, Watson, Watters, Winston, White of Geneva—28.

Nays—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bogart, Bourdeaux, Bush, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Files, French, Hardy, Henderson, Higgins, Hogue, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Lowe, Maddox, Meador, Moseley, McElderry, McLendon, McRee, Nelson, Nesmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Summers, Smaw, Stansel, Stone, Stowers, Wade, Ward, Weaver, Williams, Woolf, White of Dallas—60.

#### RESOLUTION.

Mr. Ledyard offered the following resolution:

#### JOINT RESOLUTION.

To authorize the sale of two old 1-inch Gatling guns which are now unserviceable.

*Whereas*, There are now in the possession of the State, two old 1-inch Gatling guns issued by the United States in the year 1872, which are of the pattern now obsolete and for which no ammunition is now made; and

*Whereas*, said guns are wholly unserviceable and are rotting from exposure and rust; and

*Whereas*, the State now has an opportunity to sell said guns, if they can be delivered immediately, therefore, be it

*Resolved by the House of Representatives*, (the Senate concurring), That the governor be authorized to sell said Gatling guns upon such terms as he may deem most advantageous, and cover the proceeds of sale in the treasury, to be used by him in his discretion for the purchase of tents, camp equipage, canteens, blankets, and other wants of the State troops.

Adopted.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed—

H. B. 155. For the relief of S. P. Chapman, late sheriff of Pickens county.

H. B. 22. To expediate the trial of criminal cases in Jefferson county.

H. B. 685. To amend sections 4 and 8 of an act entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888.

H. B. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county.

H. B. 563. To incorporate the Savannah, Americus & Montgomery Railway Company.

H. B. 161. To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

H. B. 290. For the preservation of game animals, birds and fish in Macon county.

H. B. 461. For the relief of W. J. Mims, late tax collector of Jefferson county, Alabama.

H. B. 184. To require the commissioners of roads and revenue of Greene county to give bond.

H. B. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, the commissioners' districts, the public dirt roads, the railroads, streams and such other matters and things of local interest and importance, as they may deem proper, in said county.

And has amended as therein shown, and as amended has passed—

H. B. 179. To give the court of county commissioners of Cleburne county exclusive control of the public printing in said county, and to authorize the court to make all contracts in relation thereto.

H. B. 311. To provide for the working, keeping up, repairing and improving the public roads, and opening and making new public roads in Madison county, and to create a board in said county, to have general supervision of all public roads therein, for the working of which, money is paid out of the county treasury.

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish districts in said county in which stock may be prevented from running at large.

H. B. 325. To prevent persons from hunting with dog or gun upon the land of another in the county of Lowndes, without first obtaining permission and consent from the owner or agent of said land.

And has amended by way of a substitute, the house amendment, and as amended has concurred therein,

s. 44. To protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate amendment to—

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bush, Bradley, Brown, Clark, Cunningham, Curtis, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Hogue, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Ward, Watters, Weaver, Webb, Williams, Winston, White of Geneva—61.

Also concurred in 1st senate amendment to

H. B. 325. To prevent persons from hunting with dog or gun upon the land of another in the county of Lowndes without first obtaining permission and consent from the owner or agent of said land.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cunningham, Curtis, Dark, Denson, Dupree, George, Hampton, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Wade, Ward, Weaver,

Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—61.

Also concurred in the second senate amendment to H. B. 325.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Ben-  
ners, Bolton, Blevins, Brown, Clark, Clements, Cunn-  
ingham, Dark, Denson, Dupree, George, Hardy, Hogue, Kemp,  
King, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Mad-  
dox, Maley, Miller, McElderry, McElvey, McLendon, Mc-  
Ree, Nelson, Nisbet, Paine, Pettus, Porter, Posey, Powell,  
Pratt, Simmons, Smaw, Smisson, Stansel, Stone, Stowers,  
Walker, Ward, Watters, Weaver, Webb, Williams, Winston,  
White of Dallas, White of Geneva—55.

On motion of Mr. Lay, the house non-concurred in the senate amendment to the house amendment to

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin;

And asks for a committee of conference.

Committee on the part of the house: Messrs. Lay, Pet-  
tus and Tatum.

The house concurred in the 1st senate amendment to

H. B. 311. To provide for the working, keeping up, re-  
pairing and improving the public roads, and opening, and  
making new public roads in Madison county, and to create  
a board in said county to have general supervision of all  
public roads therein for the working of which money is paid  
out of the county treasury.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis,  
Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clem-  
ents, Cornelius, Cunningham, Curtis, Dark, Denson, Du-  
pree, Files, George, Hampton, Hogue, Kemp, Knight, Kyle,  
Ledyard, Longshore, Maddox, Maley, Meador, Miller, Mose-  
ley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nis-  
bet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell,  
Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel,  
Stone, Stowers, Tatum, Wade, Walker, Ward, Watters,  
Weaver, Webb, Williams, Winston, White of Dallas, White  
of Geneva—63.



Also concurred in the 2d senate amendment to H. B. 311.  
Yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Bourdeaux, Blevins, Bradley, Brown, Cornelius, Cunningham, Curtis, Dark, Denson, Dupree, Files, George, Hampton, Hardy, Henderson, Kemp, King, Knight, Lay, Ledyard, Lee, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—52.

Also concurred in the 3rd senate amendment to H. B. 311.  
Yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Bourdeaux, Bush, Bradley, Brown, Clark, Clements, Cornelius, Curtis, Dupree, Files, French, George, Hampton, Henderson, Hundley, Kemp, King, Lay, Lee, Lewis, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Paine, Patton, Porter, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, White of Dallas, White of Geneva—55.

Also concurred in the senate amendment to

H. B. 179. To give the court of county commissioners of Cleburne county exclusive control of the public printing in said county, and to authorize the court to make all contracts in relation thereto.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Bolton, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Dark, Dupree, Files, George, Hampton, Hardy, Henderson, Hundley, Johnson, Kemp, King, Lee, Ledyard, Longshore, Maddox, Maley, Lee, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Paine, Patton, Porter, Posey, Powell, Pratt, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—55.

Mr. Pettus, from the judiciary committee, returned

H. B. 823, and asked that it be referred to the committee on ways and means.

It was so referred.

#### INTRODUCTION OF BILLS.

Bills were introduced by  
Mr. Knight—

H. B. 915. To create a new county of portions of Jefferson, Walker, Cullman and Blount, to be known as Warrior county.

Also,

H. B. 916. To incorporate the National Guarantee & Trust Company.

Mr. Porter (by request),

H. B. 917. To authorize the recording of certain conveyances of real estate, where parties failed to record within twelve months from their date.

Also (by request),

H. B. 918. To make statements made in bodies of deeds and conveyances of corporations, that the person signing the same was duly authorized thereto *prima facie* evidence of authority.

Also,

H. B. 919. To require all fines and forfeitures imposed or collected by the various courts of record in Jefferson county to be paid in lawful currency.

Also,

H. B. 920. To amend section 1588 of the Code.

Also,

H. B. 921. To found a new county, to be called Bessemer county.

Mr. Stone—

H. B. 922. To pay mileage to the officers of the general assembly of Alabama.

Mr. Paine—

H. B. 923. To change the boundary line between Tallapoosa and Macon counties, so as to attach Salem school house, belonging to the latter, to the former.

Mr. Rabb—

H. B. 924. To constitute the town of Alco, Escambia county, a separate school district.

Mr. Weaver—

H. B. 925. To regulate the issuance of license to sell liquor in Morgan county.

Mr. Wade—

H. B. 926. To establish the city of Gadsden a separate school district.

Mr. Anderson—

H. B. 927. To declare null and void certain mortgages or conveyances of the homestead, unless possession is given.

Mr. Henderson—

H. B. 928. To prohibit the giving of mortgages to secure future or unascertained indebtedness.

Mr. Maddox—

H. B. 929. To repeal an act to prohibit the sale, etc., of liquor within five miles of Village Springs and other places specified, so far as the same relates to Fishing Creek, St. Clair county.

Mr. Higgins—

H. B. 930. To amend sections 3, 4 and 5 of an act to establish a separate school district to be known as Cullman school district, and for the appointment of a board of trustees for said district.

Mr. Wade—

H. B. 931. To establish a new charter for the town of Attala.

Mr. Hardy—

H. B. 932. To incorporate Pleasant Hill Academy.

Mr. Ledyard—

H. B. 933. For the aid of the Medical College of Alabama, a department of the University of Alabama.

Mr. Hundley—

H. B. 934. To incorporate the Southern Iron Company.

Mr. Summers, (by request)—

H. B. 935. To prohibit sale, etc., of liquor within four miles of Pine Grove church in Colbert county.

Mr. Denson—

H. B. 936. To amend section 2360 of the Code of 1886, relative to mode of taking testimony on petitions to relieve minors of the disabilities of non-age.

Mr. Stansel—

H. B. 937. To relieve Francis Leverett of the disabilities of non-age.

By Mr. Lay—

H. B. 938. For the disposition of indictments where the defendant has been convicted of a felony.

Also,

H. B. 939. To provide for the classification and care of the records and papers appertaining to the office of Secretary of State.

Also,

H. B. 940. To amend section 4608 of the Code.

The foregoing bills were severally read once and referred to committees as follows:

House bills 921, 922, 924, 928, 931, 936, 939, 938, 940, to judiciary.

House bills 917, 918, 919, 920, to corporations.  
 House bill 915, to counties and county boundaries.  
 House bills 923, 927, 937, to revision of laws.  
 House bills 925, 929, 935, to temperance.  
 House bills 916, 932, to local legislation.  
 House bill 926, to public roads and highways.  
 House bill 930, to education.  
 House bill 933, to public health.  
 House bill 934, to commerce and common carriers.

#### REPORTS OF STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills:

s. 197. To amend sections 1, 2 and 4 of an act entitled an act to prevent, in certain cases, the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats one, two, three, four, five, six, seven, eight and nine of Hale, approved February 1st, 1879.

H. B. 884. To amend section 10 of the Code.

H. B. 868. To confirm the incorporation of "The Young Men's Christian Association of Birmingham," a body corporate, created under the general laws of Alabama, and to grant additional powers to said corporation, and prescribe the method by which it may mortgage or alienate its property.

H. B. 832. To ratify, confirm and legalize the acts and orders of the commissioners court of Barbour county in establishing districts in which stock shall be prohibited from running at large.

H. B. 826. To amend section 17 of an act to amend an act to establish a new charter for the city of Birmingham, approved February 17th, 1883.

H. B. 789. To give plaintiffs a lien in garnishment cases.

H. B. 784. To change the name of Minnie Lee Jenkins of Russell county, to that of Minnie Lee Turner.

H. B. 703. To provide for the humane killing of animals so maimed or crippled by railroad locomotives or cars as to be unable to procure food or drink for themselves.

H. B. 701. To amend an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, with the exception that the provisions of this act shall not apply to the counties of Henry, Mobile,

Dallas, Talladega, Clay, Marengo, Cherokee, Etowah, St. Clair, Coffee, Dale, Geneva, Marshall and Montgomery, approved February 28th, 1887, so as to make the provisions of that act apply to the county of Marshall.

H. B. 657. To amend an act entitled an act to amend section seven of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate the proceedings therein, approved February 12th, 1879.

H. B. 518. To amend section 4 of an act entitled an act to divide the State of Alabama into four chancery divisions, approved February 28th, 1887, as to the 14th and 15th districts of Northwestern Chancery Division.

s. 287. To provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same.

s. 318. For the relief of Wm. W. Jones.

s. 273. To fix the times and places of holding the circuit courts in the counties of Franklin and Marion in the eighth judicial circuit of the State of Alabama.

s. 233. To regulate the trials of misdemeanors in Barbour county.

s. 245. To authorize and empower the court of county commissioners of Tallapoosa county to borrow money to complete the settlement of the bonded indebtedness of said county.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills,

s. 269. To incorporate an educational institute in the city of Demopolis, Alabama, under the name and style of the Marengo Military Academy.

s. 260. To amend section two and three of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

H. B. 842. To amend section 2 of an act entitled an act to authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies, approved February 23, 1883.

H. B. 858. To amend section (150) one hundred and fifty of the Code.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bills,

H. B. 833. To amend section 4583 of the Code.

s. 282. To amend an act to regulate the disbursement of

the proceeds derived from the hire of convicts in Marengo county, approved December 9, 1886.

Mr. Winston moved that

H. B. 216. To change a part of the boundary line between Wilcox and Monroe counties,

Be taken from adverse calendar, read a second time and put on the calendar.

Carried, and bill was read a second time.

Mr. Bradley, from the committee on corporations, reported favorably to the bills,

s. 216. To amend the charter of the Central City Building and Loan Association of Selma, Alabama.

H. B. 827. To establish a new charter for the town of Carrollton, Pickens county, and to confer certain powers on the mayor.

s. 220. To provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile.

H. B. 791. To incorporate the trustees of the Indigent Ministers Fund of the Coosa River Baptist Association.

H. B. 845. To incorporate and establish a charter for the town of Childersburg, in the county of Talladega.

H. B. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

H. B. 306. To incorporate the Selma Park Association.

Mr. Lee, from the committee on temperance, reported favorably to the bills,

H. B. 843. To amend section 1319 (1544) of the Code.

H. B. 844. To prevent pictures, blinds, or screens of any kind, from being placed in saloons or in front of any bar, counter or house where beer or any kind of intoxicating drinks are sold or otherwise disposed of.

Mr. Ledyard, from the committee on military, reported favorably to the bills,

s. 179. To amend section 157 of the Code.

s. 180. To amend section 159 of the Code.

Mr. White of Dallas, from the committee on appropriations, reported favorably to the bill,

H. B. 913. To provide for the payment of the solicitor of the tenth judicial circuit.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

s. 281. To repeal an act to divide Marengo county into four commissioners districts, approved January 23, 1867.

s. 267. To amend section three (3) of an act entitled an act



to amend section two (2) and section sixteen (16) of an act to incorporate the town of Livingston, in Sumter county, approved January 25, 1867, and to amend section one (1) of an act to define the corporate limits of the town of Livingston, in Sumter county, Alabama, approved February 24, 1872, approved January 16, 1877.

H. B. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh,

With amendment.

The foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has concurred in the joint resolution to authorize the sale of two old one-inch Gatling guns, which are now un-serviceable.

W. L. CLAY,  
Secretary.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m. to-day.

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#### AFTERNOON SESSION.

The house reassembled at 3:30 p. m.

A quorum was present.

#### BILLS ON THIRD READING.

On the call of the counties bills were called up as follows:  
By Mr. Patton—

H. B. 367. For the relief of Wm. P. Hickman, late county treasurer of Jefferson county.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, French, George, Hardy, Henderson, Hogue, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lewis, Longshore, Maddox, Mancill,

Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Patton, Pitts, Porter, Powell, Rabb, Ratray, Russell, Smaw, Smith, Stansel, Stone, Stowers, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—62.

By Mr. Knight—

H. B. 457. To authorize the mayor and aldermen of the town of Greensboro to issue bonds to take up the outstanding indebtedness of said town, and to provide sewerage and water for said town.

The bill was read the third time at length and passed—yeas 55, nays 6.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Bush, Blevins, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Henderson, Hogue, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McRee, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Russell, Smaw, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Weaver, Webb, Williams, Woolf—55.

Nays—Messrs. Benners, French, McLeod, Nelson, Rabb, Winston—6.

By Mr. Benners—

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

The substitute offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bogart, Bourdeaux, Bush, Bradley, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, George, Hampton, Hardy, Henderson, Higgins, Hogue, King, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McRee, Nelson, NeSmith, Porter, Posey, Powell, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf—54.

By Mr. Ward--

H. B. 624. To amend sections one and two of an act entitled an act to incorporate the South Western railroad company, approved January 21, 1860.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, King, Kyle, Ledyard, Lewis, Long, Maddox, Mancill, Maley, Meador, Miller, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Porter, Posey, Powell, Simmons, Smaw, Smith, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—56.

By Mr. French—

H. B. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dykes, Files, Fitzpatrick, French, George, Hardy, Henderson, Higgins, Hogue, Johnson, Ledyard, Maddox, Maley, Meador, McElderry, McElvey, McRee, McRee, Nelson, NeSmith, Parker, Porter, Powell, Pratt, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Williams, Winston, White of Dallas—56.

By Mr. Bogart—

H. B. 479. To amend section 1319 of the Code.

The amendment offered by the committee was adopted.

Mr. Johnson moved to amend by adding,

“Provided this act shall only apply to Lawrence county.”

Carried.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Blevins, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lee, Maddox, Maley, Meadow, Miller, McElderry, McElvey, McRee, Nelson, NeSmith, Parker, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Summers, Smaw, Smisson, Smith, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, and White of Dallas—61.

By Mr. Lowe—

H. B. 746. To amend the charter of the People's Saving

Bank, a corporation organized in the county of Jefferson under the general laws of the State of Alabama, so as to change its name to the People's Saving Bank and Trust company, and so as to confirm in said corporation, under the name of the People's Saving Bank and Trust company all the rights, powers, and privileges that were vested in it under the name of the People's Saving Bank, and so as to enlarge the powers, rights, franchises and privileges of said corporation.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, French, George, Hampton, Higgins Hogue, Kyle, Ledyard, Long, Maley, Meador, Miller, McElderry McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward Watson, Webb, Wiley, Williams, Woolf—57.

By Mr. Porter—

H. B. 819. To provide for the employment of a temporary clerk in the office of the board of inspectors of convicts.

Amendment proposed by committee:

Amend section 2 so as to read—

Section 2. Be it further enacted, That the temporary clerk authorized by the provisions of this act, shall receive out of the same fund out of which the regular clerk is paid, compensation not to exceed the sum of seventy-five dollars per month for the time he is employed.

Adopted.

The bill was read the third time at length and passed—yeas 40, nays 27.

Yeas—Messrs. Anderson, Arrington, Benners, Bevis, Bgart, Blevins, Cornelius, Cunningham, Darby, Dark, Fitzpatrick, George, Hampton, Hundley, Kyle, Ledyard, Lee, Lewis, Miller, Moseley, McLeod, McRee, Patton, Porter, Posey, Powell, Pratt, Russell, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Winston—40.

Nays—Messrs. Bolton, Bourdeaux, Bradley, Clark, Clements, Denson, Dupree, Dykes, Hogue, Johnson, Kemp, Long, Maley, Meador, McElderry, McElvey, Nelson, NeSmith, Paine, Pitts, Simmons, Summers, Stowers, Webb, Wiley, Williams, Woolf—27.

By Mr. Bradley—

H. B. 764. To re-enact sections 3286, 3287 and 3288, of the Code of 1876, as to the court of Lamar.

Mr. Kemp moved to amend by striking out "Monroe," wherever it occurs in the bill.

Carried.

The bill was read the third time at length and passed; yeas 59, nays 3.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Files, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Kyle, Ledyard, Longshore, Mad-dox, Maley, Miller, Moseley, McElderry, McElvey, Mc-Lendon, McRee, Paine, Parker, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Wolf, White of Dallas—59.

Nays—Messrs. French, Higgins, NeSmith—3.

By Mr. Cunningham—

H. B. 614. To create a new charter for the city of Flor-ence.

Mr. Cunningham offered the following amendment:

Amend section 28 by inserting after the word "of" in first line the words "mayor and."

Adopted.

Also,

Amend section 34 by substituting \$100,000.00, for \$50,000.00.

Adopted.

Amend by substituting for section 36 the following:

"Section 36. Be it further enacted, That the mayor and aldermen of the city of Florence, shall have full power and authority to cause or procure the sidewalks along the ave-nues, streets and alleys of the said city now or hereafter established to be graded, leveled, curbed, and paved, or either, or regraded, releveled, recurbed and repaved, or eith-er; and to cause or procure the avenues, streets and alleys of said city now or hereafter established, to be graded, lev-eled or graveled, or macadamized, or either, or to be re-graded, releveled, regraveled or remacadamized, or either, in such manner, and with such material as they may deem best; and to cause the expense of all such work on side-walks and avenues, streets and alleys to be assessed against the owners of the lands or lots lying along or ajacent to such avenues, streets and alleys, according to the value and

frontage of said lands or lots, or of the benefits to the owners thereof, and to make such assessments a lien upon said lands or lots, and to provide for the enforcement of such lien, and the collection of such assessment."

Adopted.

The bill was read a third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Blevins, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree, Files, French, Hampton, Henderson, Hogue, Johnson, Kemp, King, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Porter, Powell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas—52.

By Mr. Bevis—

H. B. 536. To incorporate the Western Contract and Construction Company of Alabama.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Bogart, Bush, Blevins, Cunningham, Curtis, Dark, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nisbet, Paine, Parker, Porter, Posey, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watson, Webb, Wiley, Williams, Woolf, White of Dallas—52.

By Mr. NeSmith—

H. B. 773. To amend an act entitled an act to establish and incorporate the Scott Academy at Scottsboro, in Jackson county, approved February 16, 1883.

The amendment offered by the committee was lost.

The bill was read the third time at length and passed.

Yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Clements, Cunningham, Curtis, Dark, Dupree, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kyle, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pitts,



Porter, Posey, Powell, Pratt, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Ward, Weaver, Webb, Wiley, Williams, Winston, Woolf—59.

By Mr. Curtis—

H. B. 478. To empower the court of county commission-  
ess of Talladega county to grant petitions made by two or  
more persons owning farms adjoining to put outside fences  
and gates across public and private roads in non-stock law  
districts, for their mutual protection in Talladega county.

Mr. Williams moved to amend by inserting "Calhoun"  
after "Talladega," in the title and body of the bill.

Carried.

The bill was read the third time at length and passed ;  
yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington,  
Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown,  
Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Dupree,  
Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson,  
Higgins, Hogue, Hundley, Johnson, Kyle, Ledyard, Lee,  
Lewis, Long, Longshore, Maddox, Maley, Miller, McElder-  
ry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith,  
Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Sowell,  
Smaw, Smisson, Smith, Stone, Stowers, Walker, Watson,  
Weaver, Webb, Wiley, Williams, Winston, Woolf, White  
of Dallas—65.

By Mr. Kyle—

H. B. 677. To provide for the term of office of the tax  
collector of Lee county.

The bill was read a third time at length and passed.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington,  
Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown,  
Clark, Darby, Dark, Dupree, Dykes, Fitzpatrick, French,  
George, Hampton, Hardy, Henderson, Hogue, Hundley,  
Johnson, Kyle, Ledyard, Lee, Longshore, Maddox, Maley,  
Miller, McElderry, McElvey, McLendon, McLeod, McRee,  
Nelson, NeSmith, Nisbet, Paine, Pitts, Porter, Posey, Pow-  
ell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone,  
Stowers, Wade, Walker, Ward, Watson, Weaver, Wiley,  
Williams, Winston, White of Dallas—60.

By Mr. McElvey—

H. B. 679. To change the name of the town of Brownville,  
in Lee county.

The bill was read the third time at length and passed.

Yeas 57, nays 0.

Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Cunningham, Curtis, Darby, Dark, Dupree, Hampton, Higgins, Hogue, Hundley, Johnson, Kyle, Ledyard, Lee, Long, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—57.

By Mr. Moseley—

H. B. 586. To amend section 4870 of the Code of 1886, so far as the same relates to Limestone county.

The bill was read the third time at length and passed.

Yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—65.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 7, 1889.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house :

House bills ninety (90), three hundred and seventy-two (372), and four hundred and ninety (490), and one hundred and twenty-five (125).

THOS. H. CLARK,  
Recording Secretary.

The hour of 6 p. m. having arrived, the house stood adjourned till 10 a. m. to-morrow.

## THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,

Friday, February 8, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Sellars of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Sowell, Smaw, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Waters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—96.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted to Mr. Dupree till Tuesday next, and to Mr. White of Geneva, and to Mr. Hogue, till Monday next.

## ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report the following correctly engrossed, to-wit:

Nos. 479, 677, 472, 819, 764, 679, 746 and 367.

JOHN V. SMITH,  
Chairman.

## INTRODUCTION OF BILLS.

Bills were introduced:

By Mr. Williams—

H. B. 941. To prohibit the sale, giving away, or disposing of any spirituous, vinous or malt liquors, intoxicating bitters, beverages, or drinks, or fruits preserved in alcohol or alcoholic

liquors within three miles of Oak Grove church, in beat six, of Calhoun county.

By Mr. Lay—

H. B. 942. To amend sections two and three of an act entitled an act to pay salaries to solicitors instead of the fees now received, and to require said fees to be paid into the State treasury, approved February 28th, 1887.

By Mr. Anderson—

H. B. 943. To change the names of two minor DeLoach children to the name of Perryman.

By Mr. McRee—

H. B. 944. To fix the salary and term of office of the health officer of Lowndes county.

By Mr. Dupree—

H. B. 945. To amend section six of an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16th, 1879.

By Mr. Clements—

H. B. 946. To authorize justices of the peace to appoint clerks in said office.

By Mr. Longshore—

B. B. 947. To incorporate the Iron Belt Industrial and improvement company of Alabama.

By Mr. Stansel—

H. B. 948. To prevent the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Union Chapel church, in Pickens county.

By Mr. Clements—

H. B. 949. To repeal an act entitled an act to amend section one of an act to incorporate the town of North Port, approved February 24th, 1887.

By Mr. Barnett—

H. B. 950. To amend section four of an act to pay salaries to solicitors instead of fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28th, 1887.

By Mr. Miller, (by request)—

H. B. 951. For the relief of P. H. Pitts, Esq., solicitor of the fourth judicial circuit of the State of Alabama.

By Mr. George—

H. B. 952. To pay Robert Hasson, door-keeper of the house, and James Armstrong, deer-keeper of the senate, for articles purchased for the use of the senate and house of representatives.

By Mr. Adams—

H. B. 953. To amend subdivision thirty-seven (37) of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for the public schools, approved December 12th, 1888.

The foregoing bills were severally read once, and referred to appropriate committees as follows :

House bills 943, 946, 949, to judiciary.

House bill 942, to ways and means.

House bills 945, 947, to corporations.

House bill 944, to public roads and highways.

House bills 941, 948, to temperance.

House bills 952, 953, to appropriations.

House bills 950, 951, to fees and salaries.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably to the following bills :

H. B. 922. To pay mileage to the officers of the general assembly of Alabama.

Mr. Stansel, from the committee on revision of laws, reported the following bill and house joint resolution favorably :

H. B. 797. For the relief of Joseph W. Cunningham, and Mrs. A. A. York, of Clarke county.

H. J. R. 6. To accept the grant of congress under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.

Mr. Watson, from committee on local legislation, reported the following bills favorably :

s. 275. To secure better roads and bridges in the county of Lowndes.

H. B. 887. To incorporate the Sheffield and Seaboard railroad company, and to further the construction of said railroad.

H. B. 888. To amend an act entitled an act, approved February 23, 1887, for the preservation of game animals and birds in the counties of Sumter and Chilton.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bill,

H. B. 901. To regulate the hiring, and working of persons convicted of misdemeanors.

Mr. McElderry, from the committee on public roads and highways, reported favorably to the following bills :

H. B. 899. To amend section 1420, of the Code, so far as the same relates to Bullock county.

H. B. 817. To authorize the commissioners court of Calhoun county to levy a tax and provide a system of public road working for said county.

H. B. 926. To constitute the city of Gadsden a separate public school district.

Mr. Lowe, from the committee on corporations, reported favorable to the following bills:

H. B. 164. Ratifying and confirming the consolidation of the Alabama Mineral, Manufacturing Railway company with the Sheffield and Birmingham company.

With amendment,

s. 101. To amend a charter for the town of Louisville in Barbour county.

Mr. Johnson, from the committee on county and county boundaries, reported favorably to the bill,

H. B. 915. To create a new county from portions of Blount, Jefferson, Cullman and Walker counties to be known as Warrior.

Mr. White, from committee on appropriations, reported favorable to the following bill:

H. B. 783. For the relief of Thos. H. Skinner, S. G. Woolf, T. M. Witherspoon and C. F. Compton.

Mr. Pettus, from the judiciary committee, reported favorably to the bills,

s. 297. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to negotiate a loan for the improvement of the streets and of the sanitary condition of the said town, and to issue bonds for the payment of the said loan.

s. 298. To confirm the incorporation of the town of New Decatur, in the county of Morgan, and to enlarge and define the corporate powers of said town.

Mr. Lee, from committee on temperance, reported favorably to the bills,

H. B. 896. To prohibit the manufacture, sale and disposing of spirituous, vinous or malt liquors, or other intoxicating beverages within five miles of the academy in the town of Hillsboro, Lawrence county, Alabama.

With amendment,

H. B. 857. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within three miles of County Line school house in Daviston beat, in Tallapoosa county, Alabama.



H. B. 867. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, beverages or bitters, or fruits preserved in alcoholic liquors, within three miles of Salem church in Goode precinct, in Lamar county.

H. B. 908. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruit preserved in alcoholic liquor, in the town of Moulton, in Lawrence county, Alabama, and within five miles thereof, or to deliver any of such liquors to persons in said town, or within five miles thereof.

H. B. 270. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruit preserved in alcoholic liquors, within two miles of Union Presbyterian church, Dale county, Alabama, and Pleasant Ridge Baptist church, in Dale county, Alabama.

Also (with amendment),

H. B. 912. To prevent the sale, manufacture or giving away of spirituous, vinous or malt liquors, within five miles of Union Chapel church, in Pickens county;

Which bills above mentioned and reported were severally read a second time and placed on the calendar.

Mr. Hundley moved to take from the table house bill 37 and to commit it to the committee on agriculture.

Carried.

Mr. Winston moved to take house bill 618 from the committee on education and refer it to the committee on local legislation.

Carried.

#### REPORT OF COMMITTEE ON RULES.

Mr. Shorter (Mr. Pettus in the chair) submitted the following:

Rule 58. The house shall meet at 10 a. m., adjourn at 1:30 p. m., reassemble at 3 p. m. and adjourn at 8 p. m.

This rule shall take effect on Monday, February 11, 1889.

Mr. Clements moved to amend rule 58 by inserting 9:30 in the place of 10, and 7:30 in lieu of 8.

Carried,

And the rule as amended was adopted.

Rule 59. No member shall speak more than twice to any question, nor for more than ten minutes at any time, except that the mover of a question or the chairman of a committee

proposing the question may speak in reply for not more than ten minutes after all desiring to speak shall have spoken.

Adopted.

#### SPECIAL ORDER.

H. B. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

The bill was read a third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Cunningham, Curtis, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Mosely, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Pitts, Porter, Posey, Powell, Pratt, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Williams, Winston—60.

And the bill was ordered to the senate without engrossment.

#### BILLS ON THIRD READING.

Under the call of counties bills were called up as follows :

By Mr. Moseley—

H. B. 690. To regulate the fine and forfeiture fund of Madison county.

The bill was read a third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochran, Cunningham, Curtis, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Higgins, Hogue, Hundley, Johnson, King, Knight, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pitts, Porter, Powell, Rabb, Rattray, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watters, Weaver, Webb, Williams—66.

By Mr. McRee—

H. B. 419. To elect the county board of commissioners of Lowndes county by the qualified electors of said county.

Mr. McRee offered an amendment in the way of a substitute, which was adopted.

The bill was read the third time at length and passed.

Yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bourdeaux, Bush, Brown, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dykes, Files, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, King, Knight, Ledyard, Lee, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Simmons, Stansel, Smaw, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston—57.

By Mr. McRee—

H. B. 709. To incorporate the Alabama and Texas Railway Company.

The bill was read the third time at length and passed.

Yeas 60, nays 12.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bush, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Denson, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Mancill, Maley, Meador, Miller, McElderry, McLendon, McLeod, McRee, Nelson, Nisbet, Parker, Patton, Pitts, Porter, Powell, Pratt, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf—60.

Nays—Messrs. Benners, Bolton, Clark, Dark, Dykes, French, Johnson, Lowe, Maddox, McElvey, NeSmith, Ward—12.

Mr. Wiley moved that the vote by which the above bill passed be reconsidered, and then moved to table that motion. The latter motion prevailed.

The bill was ordered to the senate without engrossment.

By Mr. Paine—

H. B. 35. For the relief of parties whose lands were sold for taxes and purchased by the State prior to the first day of January, 1887.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Barnett, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dykes, Fitzpatrick, Hampton, Hardy, Higgins, Hundley,

Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf—67.

By Mr. Hampton.—

H. B. 38. To establish a branch Agricultural Experiment station and a branch Agricultural School in North Alabama.

Mr. Ward offered the following amendment:

“Amend by adding Henry county, and to establish at or near Abbeville, Alabama.”

On motion of Mr. Wiley, Mr. Ward’s amendment was amended as follows:

“And an experiment station at Troy, Pike county.”

Mr. Ward’s amendment was then adopted.

The bill was read the third time at length and lost—yeas 11, nays 67.

Yeas—Messrs. Anderson, Bevis, Bush, Darby, King, Lee, McLendon, Simmons, Ward, Watson, and Wiley—11.

Nays—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Cochran, Cunningham, Curtis, Dark, Denson, Dykes, Files, Fitzpatrick, French, George, Hampton, Higgins, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pitts, Porter, Posey, Pratt, Russell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Watters, Weaver, Webb, Williams, Winston—67.

Mr. Hundley moved to reconsider the vote by which the bill was lost.

Carried.

Mr. Ward moved to strike out \$3500.00 and insert \$6000.00.

Lost.

On motion of Mr. Knight the bill was tabled.

Mr. Hundley moved to take the bill from the table and refer it to the agricultural committee.

Carried.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 192. To establish the city court of Decatur.

s. 137. To amend paragraphs one, two, three and four of the second sub-division of section 749 of the Code.

s. 140. To require all persons hereafter holding, and now holding claims as State witnesses in any of the courts of DeKalb county against the fine and forfeiture fund, to have them registered; to require the treasurer of DeKalb county to keep a book in which such claims can be registered and to require the treasurer to make a record of the settlement of such claims.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their bills had been publicly read by the clerk, signed the bills whose titles are above set forth.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed

H. B. 380. To amend sections 20, 21, 22 and 26 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved Dec. 9th, 1886.

And grants the request of the house for a committee of conference on

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

Committee on the part of the senate—Messrs. Williams, Milner and Stallworth.

W. L. CLAY,  
Secretary.

#### RESOLUTION.

Mr. Hogue offered the following resolution, which was referred to the committee on rules:

*Resolved*, That on and after Monday next the house meet at 9 o'clock and adjourn at half past one p. m., and meet in the afternoon at 3 o'clock, and adjourn at six o'clock.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 171. To regulate the State witnesses fees in Hale county, Alabama, and to provide for the payment of the same.

H. B. 137. To establish a separate school district to be known as Union District in Limestone county.

H. B. 370. Fixing and prescribing the compensation to be paid the county treasurer of Jefferson county.

H. B. 499. To fix the time and place for holding the chancery court for Monroe county, Ala.

H. B. 196. To provide for furnishing tools to work the public roads in Marshall county, by the court of county commissioners of said county, and to provide for the safe keeping of said tools.

H. B. 341. To incorporate the town of Millport, in Lamar county, Ala.

H. B. 387. To incorporate the Gadsden Female Institute, in the city of Gadsden.

H. B. 345. To amend an act approved February 1, 1872, entitled an act to incorporate the Female Institute of the Tennessee Annual Conference of the Methodist Episcopal Church, at Athens, Alabama.

H. B. 563. To confer certain rights and privileges in the State of Alabama upon the Savannah, Americus and Montgomery Railway, a corporation chartered under and by virtue of the laws of the State of Georgia.

H. B. 179. To give the court of county commissioners of Cleburne and Cherokee counties exclusive control of the public printing in said counties, and to authorize said courts to make all contracts in relation thereto.

H. B. 290. For the preservation of game animals, birds and fish in Macon county.

H. B. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county.

H. B. 155. For the relief of S. P. Chapman, late sheriff of Pickens county.

H. B. 685. To amend sections 4 and 8 of an act entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888.

H. B. 325. To prevent persons from hunting with dog or gun upon the lands of another in the county of Lowndes, in



beats No. 1, No. 5 and No. 8, as Macon county and in Calhoun county, without first obtaining permission and consent from the owner or agent of said land.

H. B. 184. To require the commissioners of roads and revenues of Greene county to give bond.

H. B. 22. To expedite the trial of capital cases in Jefferson county.

H. B. 161. To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

B. M. MILLER,  
Chairman of Committee.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the above and foregoing bills.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 255. To relieve Thos. U. Baskin of the disabilities of non-age.

s. 196. To amend section 3070 of the Code.

s. 285. To provide for the payment for official service of the sheriff of Barbour county for services rendered, not otherwise provided for.

s. 243. To prohibit the manufacture, sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or beverages, at or within five miles of Goose Pond church in Jackson county, Alabama.

s. 322. To prohibit the sale, giving away or otherwise disposing of, of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruit preserved in alcoholic liquors, within four miles of the Davis Creek church, Favors beat, in Tuscaloosa county.

s. 252. In relation to criminal insane persons, who are charged by indictment with murder and other high crimes.

s. 246. To incorporate the Jacksonville, Williamsport and Anniston Railway Company.

And passed the following bill, and ordered the same forthwith to the house without engrossment:

s. 337. To authorize Madison county to purchase and to

build macadamized roads, and to issue bonds of the county to aid in the purchase or construction thereof.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The foregoing senate bills were severally read one time and referred to committees as follows:

Senate bills 255, 252, to judiciary.

s. 196, to revision of laws.

s. 246, to corporations.

s. 285, to ways and means.

s. 243, 322, to temperance.

s. 337, to Madison delegation, with leave to report at any time.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3:30 p. m., to-day.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.  
There was present a quorum.

#### BILLS ON THIRD READING.

Bills were called up as follows:

By Mr. Hundley—

H. B. 806. To establish and create a district in Limestone county in which it shall be unlawful to permit hogs to run at large.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Darby, Dark, French, George, Hampton, Higgins, Hogue, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nisbet, Patton, Pitts, Porter, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf—63.

The bill was sent to the senate without engrossment.

By Mr. White of Dallas—

H. B. 642. To amend an act to provide for paying and funding the legal debts of Selma as created prior to December 6, 1875, approved December 7, 1888.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Cochrane, Curtis, Dark, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Patton, Pettus, Pitts, Porter, Simmons, Smith, Stansel, Stone, Stowers, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—60.

By Mr. Woolf—

H. B. 697. For the relief of S. H. and W. S. Askew of the county of Marengo.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Beners, Bevis, Bogart, Bolton, Brown, Clements, Cochrane, Cunningham, Darby, Dark, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Paine, Patton, Pitts, Porter, Pratt, Russell, Simmons, Smith, Stone, Stowers, Walker, Webb, Wiley, Winston, Woolf—53.

By Mr. Meador—

H. B. 242. To define a lawful wire fence in the State of Alabama.

Mr. Wiley offered the following amendment, which was adopted :

“Provided further, that there shall be a plank not less than four inches wide nailed to said posts or trees at the top of said fence, between the first and second wires.”

On motion of Mr. Adams, the following counties were excepted from the provisions of the bill : “Clay, Bibb, Chambers, Talladega, Lamar, Franklin, Jefferson, Sumter, Dallas, Colbert, Wilcox, Tallapoosa, Lee, Choctaw, Chilton, Etowah, St. Clair, Mobile, Coosa and Walker.”

The bill was read the third time at length and passed.

Yeas 74, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Burnett, Benners, Bevis, Bush, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Files, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Simmons, Summers, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—74.

Nays—Messrs. Bogart and Curtis—2.

By Mr. Clark—

H. B. 592. To create a separate school district in Marion and Lamar counties, and to define the boundaries thereof. The bill was read the third time at length and passed.

Yeas 75, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dykes, Files, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Long, Longshore, Maddox, Mancill, Maley, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Russell, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—75.

Nay—Mr. Lay—1.

By Mr. Winston—

H. B. 416. To change a part of the boundary lines between Wilcox and Monroe counties.

The bill was ordered to a third reading forthwith, read the third time at length and lost.

Yeas 34, nays 32.

Yeas—Messrs. Speaker, Adams, Benners, Bogart, Blevins, Brown, Cochrane, Cunningham, Dark, Denson, George, Henderson, Hogue, Hundley, Johnson, Knight, Longshore, Maddox, Meador, Miller, Moseley, McRee, Patton, Pettus, Pitts, Porter, Pratt, Smaw, Smith, Walker, Weaver, Williams, Winston, White of Dallas—34.

Nays—Messrs. Bolton, Bush, Cornelius, Curtis, Darby, Dykes, Fitzpatrick, Hardy, Higgins, Kemp, Kyle, Lay, Led-

yard, Lee, Lewis, Maley, McLendon, Nelson, Paine, Parker, Posey, Powell, Russell, Summers, Stansel, Stone, Stowers, Watters, Webb, Wiley, Woolf, White of Geneva—32.

By Mr. Lewis—

H. B. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile and Navy Cove Harbor Railway Company, approved February 28, 1887.

The bill was read the third time at length and passed.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Bevis, Bogart, Bolton, Brown, Clark, Clements, Cunningham, Curtis, Darby, Dark, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Maley, Meador, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Porter, Simmons, Smith, Stansel, Stone, Tatum, Walker, Watson, Watters, Weaver, Webb, Wiley, Woolf, White of Dallas, White of Geneva—53.

The bill was ordered to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The Senate has originated and passed the following bills:

s. 2. In relation to the sale of cotton and other produce by factors, commission merchants, warehouse men or other persons who sell the same.

s. 205. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

s. 135. To incorporate the town of Leighton, in Lawrence and Colbert counties.

s. 161. To amend section one of an act to establish a new charter for the town of Cullman, approved February 7, 1879.

s. 208. To amend the act to incorporate the city of Tuscaloosa approved March 12th, 1873, by the addition of sections in reference to the erection of a city building within said city.

s. 209. To amend the act to incorporate the city of Tuscaloosa approved March 12th, 1873, by amending section one of said act so as to extend the boundary lines of said city.

s. 326. To require the probate judge of Perry county to prepare and keep in his office a general direct and redirect index of the minutes and inventories, and other records relating to estates of deceased persons and guardianship proceedings, and to provide just compensation therefor.

s. 348. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal company of Alabama, and to amend the same.

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa, and Pickens, approved December 28th, 1887.

s. 47. To amend the charter of the city of Birmingham so as to enlarge the limits of said city, and so as to create a new ward in said city.

And ordered to the house without engrossment the two last named bills.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The bills whose titles are above set forth were severally read one time, and referred to committees as follows:

Revision of laws, s. 2, 205, 171.

Corporations, s. 135, 161, 47.

Judiciary, s. 208, 209, 326, 348.

The house resumed consideration of—

#### BILLS ON THIRD READING.

And bills were called up as follows:

By Mr. Ledyard—

H. B. 702. For the better suppression of gambling.

The substitute offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 65, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Bourdeaux, Blevins, Bradley, Clark, Cornelius, Cunningham, Curtis, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Simmons, Summers, Smaw, Stansel, Stone, Stowers, Tatum, Watters, Weaver, Webb, Woolf, White of Dallas, White of Geneva—65.

Nays—Mr. Files—1.



By Mr. Lay—

H. B. 359. To require justices of the peace to furnish itemized bills of cost to suitors.

The bill was read the third time at length and passed—yeas 50, nays 24.

Yeas—Messrs. Adams, Anderson, Benners, Bevis, Bourdeaux, Clements, Cornelius, Cunningham, Dark, Denson, Fitzpatrick, George, Hardy, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Meador, Miller, McElderry, McElvey, McLendon, McRee, Nisbet, Pettus, Porter, Posey, Powell, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Watson, Watters, Webb, Wiley, Williams, White of Dallas, and White of Geneva—50.

Nays—Messrs. Speaker, Allen, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Curtis, Dykes, Files, Hampton, Hundley, Long, Maley, Moseley, NeSmith, Paine, Patton, Pitts, Smaw, Weaver, Winston, Woolf—24.

By Mr. Anderson—

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

The substitute offered by the committee was adopted.

Pending discussion of this bill the hour of 6 o'clock p. m. having arrived, and the house stood adjourned till 10 o'clock to-morrow morning.

## THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,

SATURDAY, February 9, 1889.

House met pursuant to adjournment.

Prayer by Rev. Mr. Sellars of the city.

Present—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meadow, Miller, Moseley, McElderry, Mc-

Elvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

#### LEAVE OF ABSENCE

Was granted to Messrs. Sowell, Paine, Russell, Bush, Pratt, Hardy, Cornelius and Dupree till Monday next, to Mr. Johnson indefinitely, to Messrs. Denson and Nisbet till Tuesday next, and to Mr. Adams till Wednesday next.

#### UNFINISHED BUSINESS.

H. B. 86. To provide the means for ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama,

Being under consideration at adjournment yesterday evening, was taken up.

The vote ordering the bill to a third reading was reconsidered.

Mr. Lowe offered an amendment, which was adopted.

Mr. Pitts moved to amend the bill by inserting after the words "disinterested persons" the words "who would be qualified jurors."

Carried.

The bill was read the third time at length and passed—yeas 64, nays 3.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bevis Bolton, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dykes, Files, Fitzpatrick, French, Hampton, Henderson, Higgins, Hundley, Kemp, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McRee, Nelson, Parker, Patton, Pitts, Porter, Posey, Powell, Simmons, Smaw, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

Nays—Messrs. Benners, Denson, Smith—3.

## ENGROSSED BILLS.

*Mr. Speaker :*

The committee on engrossed bills report the following correctly engrossed, to-wit:

Nos. 773, 761, 624, 759, 536, 457, 35, 702, 500, 478, 359, 697, 592, 419, 614.

JOHN V. SMITH,  
Chairman.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following correctly enrolled :

H. B. 258. To fix the fees of the circuit clerk of Perry county.

B. M. MILLER,  
Chairman.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after its titles had been publicly read by the clerk, signed the bill, whose title is set out in the foregoing report of the committee on enrolled bills.

## RESOLUTION.

By leave, Mr. White of Dallas, offered the following joint resolution :

*Resolved by the house* (the senate concurring), That at 12:30 p. m. to-day a joint convention of the senate and house shall assemble for the purpose of electing a solicitor for the city court of Decatur.

Adopted.

Mr. McElderry moved that a committee of five be appointed to draft an omnibus bill to incorporate all bills on the calendar in reference to the establishment of separate school districts.

Carried.

Committee—Messrs. McElderry, Fitzpatrick, Rattray, Ledyard and McLeod.

## RESOLUTION.

Mr. Wiley offered the following resolution :

*Resolved*, That Fred. W. Wines, D. D., chairman of the Illinois State Board of Charities, and secretary of the National Prison Association, be requested to deliver before the General Assembly of Alabama an address upon Prisons and Prison management, and that a committee of three, to be named by speaker, be appointed to communicate with that gentleman and ascertain at what time it will be convenient for him to address the General Assembly.

Adopted.

Committee—Messrs. Wiley, Knight and Lowe.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Kemp—

H. B. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 54, nays 3.

Yeas—Messrs. Speaker, Allen, Anderson, Barnett, Bevis, Boudeaux, Blevins, Brown, Cornelius, Curtis, Darby, Dark, Dykes, Hampton, Higgins, Hundley, Kemp, Lay, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, NeSmith, Pettus, Pitts, Porter, Posey, Powell, Rattray, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—54.

Nays—Messrs. Maddox, Nelson, Patton—3.

By Mr. Wiley—

H. B. 549. To amend the charter of the city of Montgomery, and various acts amendatory thereof.

The bill was read the third time at length and passed—yeas 58, nays 1.

Yeas—Messrs. Speaker, Allen, Barnett, Bevis, Bourdeaux, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Fitzpatrick, French, Hampton, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Miller, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey,

Powell, Rattray, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—58.

Nay—Mr. Bolton—1.

Mr. Wiley moved to reconsider the vote by which the bill passed, and then moved to lay that motion on the table.

The latter motion prevailed.

The bill was ordered to the senate without engrossment.

By Mr. Barnett—

H. B. 644. To provide for repairing and furnishing the capitol and improving the Capitol grounds—

The bill was read the third time at length and passed—yeas 58, nays 17.

Yeas—Messrs. Speaker, Allen, Anderson, Barnett, Ben-ners, Bevis, Bogart, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Pat-ton, Pettus, Pitts, Porter, Posey, Rattray, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—58.

Nays—Messrs. Arrington, Bolton, Bourdeaux, Blevins, Bradley, Clark, Curtis, Kemp, Lee, Long, McLeod, NeSmith, Powell, Simmons, Summers, Watson, Winston—17.

Mr. Wiley moved to reconsider the vote by which the bill passed, and then moved to lay that motion on the table.

The latter motion prevailed.

On motion the bill was sent to the senate forthwith with-out engrossment.

By Mr. Fitzpatrick—

s. 112. To incorporate the Montgomery and Sylacauga Railroad Company.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bar-nett, Benners, Bevis, Bogart, Bolton, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Dykes, Fitzpatrick, French, George, Hampton, Hen-derson, Hundley, Kemp, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee,

Nelson, Patton, Pitts, Porter, Posey, Powell, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Wiley, Williams, White of Dallas, White of Geneva—63.

By Mr. McLendon—

H. B. 754. To amend section 1681 of the Code.

The substitute offered by the committee was adopted.

The bill was read the third time at length and lost.

Yeas 15, nays 43.

Yeas—Messrs. Anderson, Barnett, Bourdeaux, Cornelius, Darby, Files, Fitzpatrick, Lee, McLendon, McRee, Simmons, Smisson, Stowers, Watson, Wiley, Winston—16.

Nays—Messrs. Speaker, Allen, Arrington, Benners, Bolton, Brown, Clements, Cunningham, Curtis, Dark, Dykes, French, George, Hampton, Henderson, Higgins, Hundley, Knight, Ledyard, Lewis, Long, Lowe, Maddox, Meador, Miller, Moseley, McElderry, McElvey, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Summers, Stansel, Stone, Wade, Walker, Webb, Woolf, White of Dallas, White of Geneva—43.

By leave, Mr. Benners called up—

H. B. 594. Concerning sub-marine sites for light houses and aids to navigation.

The bill was read the third time at length and passed.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bogart, Bourdeaux, Blevins, Brown, Clark, Clements, Cunningham, Darby, Dark, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Simmons, Smaw, Smisson, Stansel, Stone, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

On motion, the bill was sent forthwith to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has amended, and as amended has passed,

H. B. 428. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Shelby,



Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Bibb, Geneva, Covington, Coffee, Dale, and Lawrence, approved March 3d, 1870, so far as it relates to the county of Coffee.

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in this State, except in incorporated towns and cities having police regulation.

H. B. 241. To amend sections two, three, four, six, fourteen and thirty-three of an act entitled an act to amend an act to incorporate the district of Opelika and provide for the government thereof, approved February 16, 1885.

H. B. 277 $\frac{1}{2}$ . To prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat No. 5, in Butler county, and to prescribe a rule of damages and rules of procedure in the trial of cases under this act.

And has passed,

H. B. 147. To repeal section 4 of an act entitled an act to provide for the election and regulation of justices of the peace and constables in that part of the county of Mobile which was included within the corporate boundaries of the city of Mobile, as the same was formerly incorporated, approved February 12, 1885.

H. B. 230. For the relief of State witnesses in Clarke county, in cases where the State fails.

H. B. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain lands lying and being in said county.

H. B. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Tallapoosa county, approved March 1, 1870.

H. B. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

H. B. 631. To incorporate the Noble Institute.

H. B. 260. To authorize the court of county commissioners of Pike county to levy a special tax in any such stock district as is now established or that may hereafter be established within said county, for the purpose of building and maintaining line fences for such districts.

H. B. 653. To incorporate the town of Alco in the county of Escambia and State of Alabama.

H. B. 434. To amend section four of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, etc., approved

February 28, 1887, so far as the same relates to the county of Pike.

H. B. 237. To confirm, amend and enlarge the charter of the Bessemer Dummy Line, and to change the name thereof.

H. B. 567. To require the probate judge of Clark county, to prepare and keep in his office a general, direct and reversed index of the records of all deeds and mortgages of lands, or any estate or interests therein, and to provide just compensation therefor.

H. B. 593. To provide for working the public roads in Cleburne county by taxation.

H. B. 630. To lay off the county of Bullock into four commissioners' districts.

H. B. 482. To require the county commissioners of Conecuh county to procure printed blank forms of certain conveyances and printed blank record books in conformity therewith for the use and distribution by the probate judge of said county, and to regulate the fees for recording the same.

And has concurred in the house joint resolution relative to the election of a solicitor of the city court at Decatur.

And has concurred in the house amendment to—

s. 112. To incorporate the Montgomery and Sylacauga Rail Road Company.

And has originated and passed, and ordered to the house without engrossment,

s. 400. To prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous, or malt liquors, or any intoxicating bitters and mixture within five miles of Goodwater Academy, Coosa county, and in the county of Butler, except beat No 12 of said county, approved February 19, 1887.

s. 256. To regulate the survey and division of lands into lots, and platting the same.

s. 395. To enlarge the powers, rights and privileges of the Mary Pratt Furnace Company, an industrial mining and manufacturing corporation, organized and chartered in Jefferson county, under the general laws of Alabama.

s. 338. To provide for an additional judge of the Supreme Court of Alabama.

s. 336. To amend section 677 of the Code of Alabama.

s. 392. To fix the time and place for holding the spring term of the circuit court of Perry county.

s. 300. To provide for the compensation of expert ac-

countants employed by the joint committee of the general assembly to examine the offices of auditor and treasurer.

And has originated and passed the following bills:

s. 379. To repeal an act entitled an act to repeal an act entitled an act to require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties, approved August 12, 1868, and to repeal sections 117 and 118 of an act entitled an act to establish revenue laws for the State of Alabama, approved December 31, 1868, so far as the same applies to the county of Perry.

s. 304. To amend section one of an act, approved on the 12th day of February, 1887, and entitled an act to prevent stock from running at large in certain parts of Marengo county.

s. 201. To reduce the capital stock of the Oakwood Real Estate Company.

s. 368. To allow the hunting and killing of deer in certain portions of Perry county.

s. 343. To authorize the commissioners court of Marengo county to hire out its convicts and elect to work on railroads in said county.

And has concurred in the report of the committee of conference on the bill—

H. B. 226. To provide for the election of county superintendents of education.

WM. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 338, 336, 392, 368, 256, to judiciary.

s. 300, to ways and means.

s. 379, to revision of laws.

s. 343, to penitentiary and criminal administration.

s. 201, 395, to corporations.

s. 400, to temperance.

On motion of Mr. Pitts, the house non-concurred in the senate amendments to—

H. B. 241. To amend sections two, three four, six, fourteen and thirty-three of an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 16, 1885.

And asked for a committee of conference.

Committee on part of the house—Messrs. Pitts, McElvey and Kyle.

The house concurred in the first senate amendment to—

H. B. 277 $\frac{1}{2}$ . To prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat No. 5 in Butler county, and to prescribe a rule of damages and rules of procedure in the trial of cases under this act.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Wade, Watson, Watters, Wiley, Williams, Winston, Woolf, White of Geneva—61.

And concurred in the second senate amendment to said H. B. 277 $\frac{1}{2}$ .

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLendon, McRee, Nelson, Patton, Pettus, Pitts, Powell, Rattray, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—60.

On motion of Mr. Pettus, the house non-concurred in the senate amendment to

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in this State, except in incorporated towns and cities having police regulation;

And asks for a committee of conference.

Committee on part of the house: Messrs. Pettus, Porter and Parker.

The house concurred in the first senate amendment to

H. B. 428. To repeal an act to regulate the publication of legal notices in the counties of Shelby, Walker, Baker, De-

Kalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Geneva, Covington, Bibb, Coffee, Dale and Lawrence, approved March 3, 1870, so far as the same relates to Coffee county.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Borgia, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Darby, Dark, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lee, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smith, Stansel, Stone, Wade, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

Also concurred in the second senate amendment to said H. B. 428:

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Borgia, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smith, Stansel, Stone, Wade, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Williams, from a conference committee, submitted the following report:

*To the Honorable Senate and House of Representatives:*

The committee of conference on the disagreement of the two houses upon the several amendments of the two houses to H. B. 226. To provide for the election of county superintendents of education, have had the same under consideration, and respectfully report that they have agreed to recommend the following amendments to said bill, to-wit: Provided the provisions of this act shall not apply to the counties of Barbour, Cleburne, Choctaw, Dallas, Greene, Hale, Mobile, Perry, Sumter, Washington, Wilcox, Talladega,

Chambers, Madison, Jefferson, Randolph, Pickens, Autauga, Montgomery, Lowndes and Macon.

I. H. PARKS,  
JAMES LANG,  
BEN HUEY,

Committee on part of senate.

G. C. WILLIAMS,  
A. B. BUSH,  
R. J. LOWE,

Committee on part of house

The report of the conference committee was concurred in.  
Yeas 64, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Clem-  
ents, Cochrane, Cunningham, Darby, Dark, Dykes, Files,  
Fitzpatrick, French, George, Hampton, Henderson, Hig-  
gins, Kemp, Knight, Ledyard, Lee, Lewis, Maley, Miller, Mc-  
Elderry, McElvey, McLendon, McLeod, Nelson, NeSmith,  
Patton, Pettus, Pitts, Porter, Simmons, Smisson, Smith,  
Stansel, Stone, Wade, Ward, Watson, Watters, Weaver,  
Williams, Winston, White of Geneva—64.

Nay—Mr. Hundley—1.

#### JOINT SESSION OF THE HOUSE AND SENATE.

At 12:30 o'clock p. m. the two houses met in the hall of the House of Representatives in joint session to elect, by joint ballot, a solicitor for the Decatur city court.

The joint session was called to order by the president of the senate, who directed the secretary of the senate to call the roll of the senate.

The following senators answered to their names, being a majority of the senate of Alabama, viz.:

Messrs. President, Almon, Brewer, Bulger, Clanton, Compton, Cowan, Godfrey, Graham, Grant, Handley, Haral-  
son, Harris, Hayes, Huey, Inge, Lang, Milner, Parker, Parks,  
Pope, Rice, Rumph, Skeggs, Stallworth, Steagall, Tayloe—26.

The speaker of the house directed the clerk of the house to call the roll of the house, when the following members answered to their names, being a majority of the house of representatives of Alabama, viz.:

Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley,  
Brown, Clark, Clements, Cochrane, Cornelius, Cunningham,



Curtis, Dark, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—79.

The president of the senate announced that there being a quorum of the general assembly of Alabama present, the convention was ready to proceed with the election of a solicitor for the Decatur city court, for which purpose the joint convention was held, and that nominations were in order.

Mr. Skeggs, of the senate, placed in nomination for solicitor of the Decatur city court, Hon. Osceola Kyle of Decatur.

Those who voted for Mr. Kyle are, of the senate :

Messrs. President, Clanton, Compton, Cowan, Godfrey, Graham, Grant, Haralson, Harris, Hayes, Huey, Inge, Lang, Milner, Parks, Pope, Rice, Rumph, Skeggs, Stallworth, Steagall, Tayloe—22.

And of the house :

Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Powell, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—72.

The speaker of the house then proclaimed that Hon. Osceola Kyle having received a majority of all the votes cast, was duly and constitutionally elected solicitor for the Decatur city court for the time prescribed by law. The president of the senate then announced that the object of the joint convention having been accomplished, the convention was dissolved. The senate then returned to the senate chamber and the house proceeded with the regular order of business, which was the

## INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Pitts—

H. B. 954. For the relief of the heirs of Daisy Hardy, deceased.

By Mr. Watson—

H. B. 955. To regulate the granting of licenses to sell spirituous or vinous liquors in that part of beat six lying east of Patsaliga river in Crenshaw county, Alabama.

By Mr. Ledyard—

H. B. 956. To amend section 4067 of the Code.

By Mr. Porter—

H. B. 957. To amend section (11) eleven of an act approved February 18th, 1887, entitled "an act relating to the working of male convicts sentenced to hard labor for the county of Jefferson upon the public roads of said county."

By Mr. Cunningham—

H. B. 958. For the preservation of game animals and birds in the counties of Lauderdale and Colbert.

By Mr. Woolf—

H. B. 959. To provide for the collection of State and county taxes when the tax payers list their property for taxes in one county and remove to another without paying their taxes.

Also,

H. B. 960. Authorizing courts of county commissioners, or county boards of revenue, to refund in certain cases money paid upon forfeited bail bonds.

By Mr. Lee—

H. B. 961. To change the boundary line between Conecuh and Escambia counties.

By Mr. McLendon—

H. B. 962. To prevent the sale, giving away, or otherwise disposing of spirituous or intoxicating liquors on Sunday.

By Mr. Cunningham—

H. B. 963. To authorize Alex. D. Coffee to establish a ferry across the Tennessee river.

By Mr. Henderson (by request)—

H. B. 964. To amend an act entitled an act to prevent public drunkenness.

By Mr. Winston—

H. B. 965. To amend section one of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the

same relates to the counties of Blount, Marshall and other counties, approved March 1, 1881, so far as the same relates to Marshall county.

By Mr. Porter—

H. B. 966. To provide a more perfect system of accounting by all officers of Jefferson county, and to create the office of examiner of accounts for said county.

By Mr. Lowe, by request—

H. B. 967. To provide for the registration of judgments and decrees for the payment of money, and constituting the same a lien upon real property.

Also, by request,

H. B. 968. To provide for the satisfaction of mortgages, and other liens of record.

Also, by request,

H. B. 969. To provide a mode of levy, and notice of levy upon real estate under a writ of attachment.

Also, by request,

H. B. 970. To create the office of cotton weigher of Limestone county, to provide for filling the same, and to prescribe the duties and compensation thereof.

The foregoing bills were severally read one time, and referred to appropriate committees as follows :

House bills 966, 954, 956, 957, 960, 967, were referred to committee on judiciary.

House bills 964, 968, 969, were referred to committee on revision of laws.

House bills 959, 970, were referred to committee on ways and means.

House bills 955, 862, 965, were referred to committee on temperance.

House bill 958, was referred to committee on local legislation.

House bill 963, was referred to committee on accounts and claims.

House bill 961, was referred to committee on counties and county boundaries.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Denson, from the judiciary committee, reported the following bills favorably :

s. 238. To relieve Jno. Sanders, a minor in the county of Monroe, of all the disabilities of a minor.

s. 257. To provide for the answering by corporations of interrogatories propounded under the provisions of section 2816 of the Code.

s. 207. To amend the act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by amending section 55 of said act.

s. 259. To incorporate the Fidelity, Mortgage, and Trust company of Alabama.

s. 349. Requesting the senators and representatives in congress from Alabama, to use their earnest endeavors to secure a donation of lands or money, to aid in establishing a State Female Industrial school and university in Alabama, for white girls.

s. 306. To amend the charter of the Age-Herald company, to ratify and confirm all its acts and doings under said charter, to ratify and confirm the issue by it of preferred stock, and to confer upon it additional powers.

H. B. 745. In relation to criminal insane persons who are charged by indictment with murder, and other high crimes.

H. B. 834. To regulate the practice in the courts in this State in cases of successive and fraudulent attachments.

H. B. 895. To provide for the election of two county surveyors for Tuscaloosa county.

H. B. 902. To regulate the practice in the circuit court of Jefferson county, and in supreme court on appeal from judgments rendered in said cases.

With substitute for,

H. B. 904. To provide for the payment of deputy solicitors.

H. B. 921. To form a new county, to be named and called Bessemer county.

H. B. 924. To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

H. B. 729. To regulate the drawing, and organization of grand juries in the circuit court of Tuscaloosa county.

H. B. 931. To establish a new charter for the town of Attalla.

H. B. 936. To amend section 2360 of the Code of 1886.

H. B. 939. To provide for the classification and care of the records and papers appertaining to the office of secretary of State.

H. B. 940. To amend section 4608 of the Code.

s. 206. To authorize the Decatur Land Improvement and Furnace company to retire and cancel certain stock herein named.

s. 194. To incorporate the Southern Guaranty company.

Which bills above mentioned were severally read the second time, and placed upon the calendar.

Mr. Pitts moved to take from the adverse calendar,

s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

Carried.

Bill was read a second time and placed upon the calendar.

Mr. Stansel, from committee on revision of laws, reported the following bills favorably :

H. B. 898. To further regulate the compensation of water supply companies in this State.

Also,

s. 226. to amend section 1442 (1678) of the Code of 1886, provided the same shall only apply to Marshall county.

Also,

H. B. 923. To change the boundary line between Tallapoosa and Macon counties, so as to detach Salem school house and two acres of land from the former, and attach them to Macon county.

Also,

H. J. R. 4. Proposing amendment to section 1, article VIII, of the constitution of Alabama.

Also,

H. B. 937. To relive Francis S. Everett, and Eliza B. Everett of the disabilities of non-age :

Also,

H. B. 889. To amend section 457 of the Code of Alabama.

Also,

H. B. 861. To prevent stock from running at large in Alexander city, beat No. 2, in Tallapoosa county, and to authorize an election thereon.

Also,

s. 266. To authorize the widow of James M. Bullock, deceased, to administer his estate in Mobile county, upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

Also,

H. B. 218. For the relief of H. McVay Moore, late sheriff of Lauderdale county.

Mr. Clements, from committee on ways and means, reported the following bills favorably :

H. B. 814. To repeal an act to provide for the collection of taxes in Marion county, approved December 2, 1886, and to

elect a tax collector in said county as provided for by law in other counties in this State.

Also,

H. B. 911. To amend an act entitled an act to fix the price of license to be paid for State and county purposes by any person who applies for license to retail or wholesale vinous, spirituous or malt liquors in any part of beat number eight in Chambers county, Alabama, approved December 12, 1888.

Also,

H. B. 897. To amend subdivision 22 of section 629 of the Code.

Mr. Fitzpatrick, from committee on education, reported the following bills favorably :

H. B. 562. To constitute the town of Woodlawn a separate school district.

Also,

H. B. 395. To amend an act approved February 18, 1887, to establish a separate school district to be known as the Aimwell school district in Marengo county, Alabama.

Also,

H. B. 866. To incorporate the Vernon Institute.

Also,

H. B. 299. To repeal an act to regulate the collections of the poll tax in this State.

Also,

H. B. 354. To amend section 984 of the Code.

Also,

H. B. 298. To amend sections one (1), three (3), five (5) and nine (9) of an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 28, 1887.

Also,

H. B. 178. To determine and fix the amount of poll tax available each year for school purposes.

Also,

H. B. 549. To constitute the town of LaFayette, in Chambers county, a separate school district.

Also,

H. B. 436. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

Mr. Webb, from the committee on agriculture, reported the following bills favorably :

H. B. 907. To amend an act entitled an act for the protec-



tion of lands and plantations from depredations of stock in Bullock county, approved December 8, 1880.

Also,

H. B. 909. To amend section 3874 of the Code of Alabama.

Mr. Pitts, from the committee on corporations, reported the following bills favorably:

s. 7. To incorporate the Anniston Water Supply Company.

Also,

s. 229. To incorporate the Birmingham Female College, with amendment.

Also,

H. B. 919. To require all fines and forfeitures imposed, or collected by the various courts of record of Jefferson county, Alabama, to be paid in lawful money of the United States.

Also,

H. B. 900. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

Also,

H. B. 672. To establish a charter for the town of Avondale, in Jefferson county.

Also,

H. B. 891. To amend section 1594 of the Code of Alabama.

Also,

H. B. 825. To incorporate the Southern Loan and Guaranty Company.

Also,

H. B. 847. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal Company of Alabama, and to amend the same.

Also,

H. B. 892. To incorporate the military company known as the Lowndes Rifles, of Lowndes county.

Also,

H. B. 920. To amend section 1588 of the Code of Alabama.

Also,

s. 288. To incorporate the Warrior, Attalla and Jasper Railroad Company.

Also,

s. 308. To authorize the Macon and Birmingham Railroad Company, a corporation under laws of Georgia, to construct, maintain and operate its railroad within the State of Alabama, and do all things needful for that purpose.

Also,

s. 296. To incorporate the Alabama Synod of Cumberland Presbyterian church.

Also,

s. 219. To amend section 1 of an act entitled an act to establish partial stock law districts in Talladega county so as to include precincts 5 and 1 in said county.

Mr. Watson, from committee on local legislation, reported favorably to the following bills:

H. B. 739. To amend sections 523 and 535 of the Code of 1886, so far as it relates to the county of Wilcox.

Also,

H. B. 932. To incorporate Pleasant Hill Academy, Pleasant Hill, Dallas county.

Also,

s. 334. To dispose of the fees, commissions and allowances or salary allowed by law to the judge of probate, in the county of Lowndes.

Also,

s. 264. For the relief of George T. Taylor of Crenshaw county, Alabama.

Mr. Bevis, from committee on accounts and claims, reported favorably to the bill,

H. B. 864. For the relief of S. F. Penington, late sheriff of Lamar county.

Mr. Walker, from special committee, reported favorably to

H. B. 337. To authorize Madison county to purchase and to build macadamized roads, and to issue bonds of the county to aid in the purchase or construction thereof, with amendments thereto.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Ledyard moved to reconsider the vote by which house bill 754 was lost, and to make the consideration of the motion for Monday, after the journal.

Carried.

On motion of Mr. Wiley house bill 49, monument bill, was made a continuing special order for February 14, after reading of the journal.

The hour of 6 p. m. having arrived, the house stood adjourned till 10 a. m. Monday next.

### THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,

Monday, Feb. 11, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Weaver, of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Curtis, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

Journal of Saturday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Messrs. Smith, Cornelius and French indefinitely on account of sickness.

#### ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills respectfully report as correctly engrossed, house bill No. 86.

SAMUEL HENDERSON, JR.,  
Chairman, *pro tem.*

## BILLS ON THIRD READING.

By leave, Mr. Shorter (Mr. Clements in the chair), called up—

H. B. 173. To regulate the purchase of cotton in the seed by manufacturers of cotton products in those sections of Barbour county where the sale of cotton in the seed is now prohibited by law.

Mr. Shorter offered the following amendment :

“Provided, that nothing contained in this act shall in any wise repeal, alter or amend the provisions of the act entitled an act “to prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county, approved February 2, 1883,” so far as said act relates to Hawkinsville, Spring Hill and Fort Browder beats, in said county.

Adopted.

The bill was read the third time at length and passed.

Yeas 53, nays 0.

Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Cochrane, Cunningham, Curtis, Darby, Dark, Files, Fitzpatrick, Henderson, Kemp, Knight, Kyle, Ledyard, Lewis, Long, Maddox, Mancill, Miller, Moseley, McElderry, McRee, NeSmith, Paine, Pettus, Pitts, Porter, Powell, Pratt, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Tatum, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

## SPECIAL ORDERS.

*First.*

H. B. 885. To amend section 4563 of the Code.

The bill was read the third time at length and passed.

Yeas 59, nays 0.

Yeas—Messrs. Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Clark, Clements, Cornelius, Cunningham, Curtis, Dark, Dykes, Fitzpatrick, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McRee, Nelson, NeSmith, Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Tatum, Wade, Walker,

Watson, Weaver, Webb, Williams, Winston, White of Geneva—59.

*Second.*

H. B. 879. To provide for the payment of costs on conviction of felony, where the defendant is sentenced to imprisonment in the penitentiary.

The amendments of the committee, to strike out the words "issuing execution," "entering order of removal," "making certificate and transcript," and "entry of forfeiture," wherever the same occurs in section 1 of the bill, and add to the end of section 1, the words, "and costs of committing magistrate on preliminary trial, not to exceed five dollars,"

Were adopted.

The bill was read the third time at length and passed; yeas 65, nays 0.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Bolton, Bourdeaux, Blevins, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, George, Hampton, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Pratt, Rabb, Rattray, Simmons, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Tatum, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—65.

*Third.*

H. B. 878. To amend section 4641 of the Code.

Mr. George offered a substitute, which was adopted.

The bill was read the third time at length and passed; yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bolton, Blevins, Bradley, Clements, Cunningham, Curtis, Darby, Dark, Dykes, George, Hampton, Henderson, Higgins, Kemp, King, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Rabb, Rattray, Simmons, Smaw, Stansel, Stone, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

*Fourth.*

H. B. 876. To amend section 4655 of the Code.

Mr. Pettus offered the following amendment:

Insert between the words "and" and "board" the words, "a majority of the."

Mr. Ledyard offered the following amendment:

Add these words: "But the physician may relieve any convict from manual labor in case of sickness or debility."

Mr. Smisson moved to lay the bill and amendments on the table.

A division of the question was called, and the question was upon tabling the amendments.

The motion to table was lost.

Yeas 33, nays 43.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Clark, Cornelius, Curtis, Darby, Dykes, Files, George, Kemp, King, Knight, Kyle, Lee, Long, Mancill, Meador, Miller, McElvey, McRee, Pitts, Powell, Rabb, Rattray, Simmons, Smisson, Wade, Wiley, Williams, Winston, Woolf, White of Geneva—33.

Nays—Messrs. Speaker, Anderson, Arrington, Benners, Bogart, Bolton, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Pratt, Sowell, Smaw, Stansel, Stone, Tatum, Weaver, White of Geneva—43.

On motion of Mr. Miller, house bills 876, 872, 873, 874, 877, and 901, were made continuing special orders for February 14th, after reading of the journal, to take precedence of all other special orders.

Mr. Lowe moved to recommit to committee on corporation, s. 192.

Carried.

Mr. Pettus moved to recommit to judiciary committee, s. 199.

Carried.

Mr. Pitts moved to make s. 177 a continuing special order for February 15th, after reading the journal,

Carried.



## INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Cunningham—

H. B. 971. To amend section 3 of an act "for the protection of plantations and crops within certain limits in Lauderdale county, Alabama, approved December 14, 1869.

By Mr. Benners—

H. B. 972. To require the probate judge of Hale county to make indexes, direct and cross, to all deeds and other conveyances recorded in his office, setting out name of each grantor and grantee, and providing his compensation for same.

By Mr. Fitzpatrick—

H. B. 973. To regulate the finances of Montgomery county.

By Mr. McLeod, (with notice and proof)—

H. B. 974. For the relief of R. G. Allen as the administrator of W. G. Allen, deceased.

Also, with notice and proof,

H. B. 975. For the relief of Virginia E. Carter, as administratrix of David Carter, deceased.

By Mr. Smaw—

Petition for local option from Forkland beat, Greene county.

By Mr. Lowe—

H. B. 976. To require the custodian of the books of any corporation to furnish any officer having in his hands any process for the collection of debts, with a statement of the number of shares and amount of interest therein held by defendant in such corporation.

Also,

H. B. 977. To amend an act entitled an act to establish the city court of Birmingham, approved December 9, 1884.

Also,

H. B. 978. To fix the compensation of the judge of the city court of Birmingham.

Also,

H. B. 979. To amend section 4492 of the Code.

By Mr. Sowell—

H. B. 980. To authorize the mayor and aldermen of the town of Elkmont, in Limestone county, to license, regulate, restrain or prohibit the sale of liquors in that town.

Mr. Pettus, (by request)—

H. B. 981. To preserve and keep the peace at the polls on election days.

Mr. Fitzpatrick, (by request)—

H. B. 982. To provide for the payment of amount for powder bought by the Second Regiment Alabama State Troops, in the year 1885.

By Mr. Bogart—

H. B. 983. To amend section 67 of the Code.

By Mr. Fitzpatrick—

H. B. 984. To establish the office of inspector of weights and measures in the counties of this State, and to prescribe the duties incident thereto.

By Mr. Lee—

H. B. 985. To create a separate school district in Conecuh county, to be known as the "Fortner district."

By Mr. Barnett—

H. B. 986. To provide for an additional watchman at the capitol.

Also,

H. B. 987. For the relief of B. F. Noble of Montgomery county.

By Mr. Clements—

H. B. 988. To change the name of the "Gulf and Chicago Air Line Railway Company," as chartered under the general laws of the State of Alabama, to the "Gulf and Chicago Railway Company," enlarge its powers and to further construction of said railway.

By Mr. Wade—

H. B. 989. To amend the title and also sections one and five of act, to authorize the mayor and board of aldermen of the city of Gadsden to negotiate a loan for lighting said city by either gas or electricity, for drainage sewerage and for sanitary purposes, and to issue bonds for the payment of the same, approved February 28th, 1887.

The foregoing bills were severally read once and referred to appropriate committees, as follows :

H. B. 972, 977, 978, 979, 983, 986, 988, to judiciary.

H. B. 974, 975, to revision of laws.

H. B. 971, to local legislation.

H. B. 973, to ways and means.

H. B. 980, and local option petition, to temperance.

H. B. 976, to corporations.

H. B. 982, to accounts and claims.

H. B. 983, 987, to fees and salaries.

H. B. 981, to privileges and elections.

H. B. 985, to education.

H. B. 989, to public roads and highways.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bills,

s. 338. To provide for an additional judge of the supreme court of Alabama.

H. B. 949. To amend section one of an act entitled an act to incorporate the town of North Port, approved February 24th, 1887.

s. 268. For the relief of Arthur Vinson of Franklin county.

s. 272. For the relief of R. H. Loden, late sheriff of Marion county.

s. 326. To require the probate judge of Perry county to prepare and keep in his office, a general direct and reversed index of the minutes and inventories and other records relating to estates of deceased persons and guardianship proceedings, and to provide just compensation therefor.

s. 252. In relation to criminal insane persons who are charged by indictment with murder and other high crimes.

H. B. 833. To confer on the court of probate jurisdiction to ascertain and declare heirship to persons dying intestate, With an amendment.

By Mr. Cochrane, by request, moved that—

s. 317. For the relief of Mr. S. C. Black of Fayette county, be taken from adverse calender and read a second time.

Carried.

Bill was read a second time.

Mr. Watson, from the committee on local legislation, reported favorably to the bills,

H. B. 916. To incorporate the National Guaranty and Trust Company.

H. B. 617. To amend an act entitled an act to change the boundary line between Blount and Cullman counties, approved February 28th, 1887.

H. B. 958. For the preservation of game animals and birds in the counties of Lauderdale and Colbert.

s. 304. To amend section one of an act approved on the 12th day of February, 1887, and entitled an act to prevent stock from running at large in certain parts of Marengo county.

Mr. Hampton, from the committee on public health, reported favorably to the bill,

H. B. 933. For the aid of "the medical college of Alabama," a department of the University of Alabama.

Mr. Ledyard, from the committee on military, reported favorably to the bill,

H. B. 758. To locate the headquarters of the several regiments of Alabama State troops.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 17. To incorporate the Noccalula Female Seminary of Gadsden, Alabama.

H. B. 772. To incorporate Woodstock academy.

Mr. Knight, from the committee on penitentiary and criminal administration, reported favorably to the bill,

s. 343. To authorize the commissioners court of Marengo county to hire out its convicts to work on railroads in said county.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

H. B. 947. To incorporate the Iron Belt Industrial and Improvement company of Alabama.

s. 395. To enlarge the powers, rights and privileges of the "Mary Pratt Furnace company," an industrial, mining and manufacturing corporation, organized and chartered in Jefferson county, under the general laws of Alabama.

Mr. Dark moved that

H. B. 880. To provide for the relief of Jas. B. Turner of Tallapoosa,

Be taken from adverse calendar, and read a second time.

Carried ;

And bill was read a second time.

The foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed,

H. B. 543. To authorize the auditor to settle with tax-collectors for taxes collected and paid in by them for the year 1887, at the rate of commissions allowed by laws in force at the time of the adoption of the Code.

H. B. 433. To declare void and of no force the sale of

land for taxes made by the tax collectors in this State previous to the first day of January, 1881, where such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

And asks the return to the senate of the bill,

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials or fruits preserved in alcoholic liquors in all places in this State, except in incorporated towns and cities having police regulations.

And has originated and passed the following bills:

s. 373. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

s. 355. To prohibit stock from running at large in a part of beat 7, in Lee county, Alabama.

s. 408. To amend the caption and section 1 of an act approved February 7th, 1852, entitled "an act to incorporate the Baptist Female Institute at Moulton."

s. 258. To amend section 2105 of the Code.

s. 380. To reduce the rate of taxation;

And ordered the two last bills forthwith to the house without engrossment.

And accedes to the request of the house for a committee of conference on the bill—

H. B. 241. To amend sections two, three, four, six and fourteen and thirty-three of an act entitled an act to amend an act to incorporate the District of Opelika, and provide for the government thereof, approved February 16, 1885.

Committee on the part of the senate: Messrs. Almon, Harris and Pope.

W. L. CLAY,  
Secretary.

## SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

- s. 258, to judiciary.
- s. 373, to corporations.
- s. 355, to local legislation.
- s. 408, to education.
- s. 380, to ways and means.

On motion, the request of the senate for the return of H. B. 20 was granted.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Smaw—

s. 266. To authorize the widow of Jas. M. Bullock, deceased, to administer his estate in Mobile county upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

The bill was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochran, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Williams, White of Dallas, White of Geneva—66.

By leave, Mr. Stansel called up—

H. J. R. 6. To accept the grant of congress under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.

The house joint resolution was read the third time at length and passed.

Yeas 68, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochran, Cunningham, Darby, Dark, Davie, Dykes,



Files, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Ward, Watson, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—68.

On motion, the joint resolution was ordered forthwith to the senate without engrossment.

By Mr. Weaver—

s. 298. To confirm the incorporation of the town of New Decatur, in the county of Morgan, and to enlarge and define the corporate powers of said town.

The bill was read the third time at length and passed.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Bolton, Bourdeaux, Bradley, Brown, Carter, Cochrane, Cunningham, Dark, Davie, Dykes, Files, George, Hampton, Higgins, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

By Mr. Pitts—

H. B. 96. To amend section 1754 of the Code of Alabama.

The bill was read the third time at length and passed.

Yeas 53, nays 15.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Bogart, Bolton, Bourdeaux, Brown, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Longshore, Mancill, Maley, Miller, McElderry, McElvey, McRee, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Powell, Rattray, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Wade, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—53.

Nays—Messrs. Benners, Bogart, Clements, Kemp, King, Lee, Maddox, Meador, Moseley, McLendon, McLeod, Pettus, Posey, Pratt, White of Dallas—15.

By Mr. Pitts—

H. B. 154. For the relief of the colored peoples' university at Montgomery, Alabama.

On motion of Mr. White of Dallas, the substitute offered by the committee was laid on the table.

The bill was read the third time at length and passed.

Yeas 55, nays 16.

Yeas—Messrs. Speaker, Allen, Arrington, Barnett, Ben-ners, Bevis, Bogart, Carter, Clements, Cunningham, Darby, Davie, Fitzpatrick, George, Hampton, Hundley, Kemp, King, Knight, Ledyard, Lee, Longshore, Maddox, Mancill, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Patton, Pettus, Pitts, Porter, Posey, Rabb, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—55.

Nays—Messrs. Anderson, Bogart, Bourdeaux, Bradley, Brown, Clark, Curtis, Dark, Dykes, Files, Higgins, Lay, Long, Nelson, NeSmith, Powell—16.

By Mr. Stansel—

H. B. 480. To prevent stock from running at large in beat seven (7), in Chambers county.

Mr. Maley offered the following amendment:

1st. Amend the caption of the bill by striking out the caption as it now stands, and insert in lieu thereof the following as the caption of the bill, to-wit:

“A bill to be entitled an act to prevent stock from running at large in beats seven, one, two and thirteen, in Chambers county.”

Adopted.

Also,

2d. Amend the bill by striking out section one of the bill, and insert in lieu thereof the following as section one of the bill, to-wit:

“Section 1. Be it enacted by the General Assembly of Alabama, That after the passage of this act all persons are prohibited from allowing their stock to run at large anywhere in the limits of beats seven, one, two and thirteen, in Chambers county; and it shall be unlawful for the owner of any stock to permit such stock to go at large upon the land or crop of another within the prohibited territory, and for each willful violation of this section the owner of such stock shall be guilty of a misdemeanor, and, upon conviction of such offense, shall be fined not less than five nor more than fifty dollars. The term ‘stock,’ where it occurs in this act, shall be held to include horses, mares, jacks, jennets, colts, cows, calves, yearlings, bulls, oxen, sheep, goats, lambs, kids, hogs, shoats and pigs.”

Adopted.

Mr. Henderson offered the following amendment :

Amend by adding to the end of the bill the following proviso—

Provided, That section 4 of this act shall not apply to stock belonging to any citizens of Randolph county.

Adopted.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Barnett, Benners, Bogart, Bolton, Blevins, Brown, Carter, Clark, Clements, Cunningham, Curtis, Dark, Davie, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Porter, Posey, Powell, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Ward, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

By Mr. Stone—

H. B. 801. To amend sections 3522 and 3523 of the Code.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Barnett, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Curtis, Dark, Davie, George, Hampton, Henderson, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

By Mr. Carter—

H. B. 435. To establish a county criminal court for Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

Mr. Carter offered the following amendment :

“Add section 30. Be it further enacted, That the defendant shall have the right of appeal from any judgment of said county criminal court of Pike county direct to the supreme court of the State, in all respects precisely as in the matter of appeals taken from the circuit court ; and where an appeal is taken from the judgment or rulings of said judge of said criminal court in any case where there has been no jury trial,

the supreme court shall review the evidence; and no presumption in favor of the correctness of the judgment or rulings of the said judge of the said criminal court on the evidence shall be indulged by the supreme court in reviewing such case on appeal; but the evidence must be weighed and considered by said supreme court without any reference whatever to the finding of the trial judge thereon."

Adopted.

The bill was read the third time at length and passed—yeas 60 nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Higgins, Hundley, Knight, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Pettus, Porter, Posey, Powell, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. Darby—

H. B. 206. To ratify and confirm the purchase of lands of the estate of Wm. M. Murphree, deceased, by the mayor and council of Troy, and the contract made by said mayor and council with the Public School Building Company of Troy, Alabama, for the payment of the buildings erected on said lands for the State Normal school and the public schools, operated in connection therewith.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clark, Cunningham, Darby, Dark, Davie, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Knight, Kyle, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Pettus, Porter, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Walker, Watson, Weaver, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—52.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 134. To provide a new charter for the town of Russellville.

s. 112. To incorporate the Montgomery and Sylacauga Railroad Company.

And has amended as therein shown, and as amended, has passed,

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors in all places in this State, except in incorporated towns and cities having police regulations.

#### SENATE MESSAGE.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills numbered s. 134 and s. 112, whose titles are set out in the above senate message.

The house concurred in the first senate amendment to—

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in this State, except in incorporated towns and cities having police regulations.

Yeas 54, nays 2.

Yeas—Messrs. Speaker, Barnett, Benners, Bolton, Bourdeaux, Blevins, Bradley, Clark, Clements, Cochrane, Cunningham, Curtis, Darby, Dark, Dykes, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

And the house concurred in the second senate amendment to said H. B. 20.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bevis, Bogart, Blevins, Bradley, Clark, Cochrane, Cunningham, Curtis, Darby, Dark, Dykes, Files, Fitzpatrick, French, Hampton, Henderson, Higgins, Knight, Lay, Ledyard, Longshore, Maddox, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Pettus, Porter, Powell, Sowell, Smisson, Stansel, Stone, Stowers, Tatum,

Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—54.

Mr. McElderry moved that s. 400 be recalled from committee on temperance and be referred to committee on revision of laws.

Carried.

Mr. Clements moved that H. B. 818, which was under an adverse report, be recommitted to committee on the judiciary.

Carried.

Mr. Pettus moved that—

s. 338. To provide for an additional judge of the Supreme Court of Alabama,

Be made a continuing special order for to-morrow, after the reading of the journal.

Carried.

Mr. Clements, from a joint committee, substituted the following report, which was received, read, and the committee discharged.

*Mr. Speaker:*

We, the undersigned committee heretofore appointed by the senate and house of representatives to investigate the two and three per cent. fund arising from the sale of public lands in the State of Alabama, would respectively report that the net proceeds arising from said fund received by the State of Alabama and now in the treasury, is fifty-two thousand eight hundred and thirty-one and 2-100 dollars; and that there is now covered in the United States treasury, the sum of four thousand two hundred and thirty-five and 21-100 dollars.

All of which we respectfully submit.

JOHN T. MILNER,  
Chm'n Senate Com.  
N. N. CLEMENTS, Chm'n.,  
LEWIS M. STONE,  
M. A. RABB,  
House Committee.

The hour of 1:30 o'clock p. m. having arrived, the house stood adjourned till 3 p. m. to-day.



## AFTERNOON SESSION.

The house reassembled at 3 p. m.  
A quorum was present.

## BILLS ON THIRD READING.

The call of counties for passage of bills was resumed, and bills were called up as follows:

By Mr. Henderson—

H. B. 209. To prevent stock from running at large in the several beats of Randolph county, and to authorize elections therein.

Mr. Williams moved to amend by including Calhoun county in the provisions of the bill.

Carried.

Mr. Henderson moved to amend the bill by adding the following:

"Provided, the provisions of this act shall not apply to that part of Randolph county in the east side of the Big Tallapoosa river.

Carried.

The bill was read the third time at length and passed.

Yeas 53, nays 0.

Yeas—Messrs. Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Kyle, Lay, Lewis, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Pettus, Posey, Pratt, Simmons, Stansel, Stowers, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—53.

By Mr. Files—

s. 318. For the relief of William W. Jones.

The bill was read the third time at length and passed—yeas 52, nays 5.

Yeas—Messrs. Speaker, Anderson, Arrington, Bevis, Billingslea, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Kyle, Lay, Lewis, Maley, Moseley, McElderry, McElvey, Nelson, NeSmith, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Summers, Stowers, Tatum,

Walker, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—52.

Nays—Messrs. Benners, Lay, Pettus, Rabb, Simmons—5.

Mr. Bradley moved to reconsider the vote by which the bill was passed, and then to lay that motion on the table.

The latter motion prevailed.

By Mr. Maddox—

H. B. 726. For the preservation of game animals and birds in the county of St. Clair.

Mr. Cunningham moved to amend the bill by including in the title and body of the bill the counties of Lauderdale, Colbert, Marengo, Jefferson and Pike.

Mr. Summers moved to strike out Colbert in the amendment.

Lost.

Mr. Cunningham's amendment was then adopted.

The bill was read the third time at length and passed—yeas 48, nays 6.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Kemp, Knight, Lay, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLendon, Pettus, Porter, Posey, Powell, Pratt, Simmons, Stansel, Tatum, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—48.

Nays—Carter, Dykes, Higgins, NeSmith, Smisson, Summers—6.

By Mr. Longshore—

H. B. 856. To authorize and empower the commissioners court of Shelby to appropriate three thousand dollars per annum for the years 1890 and 1891, of the general fund in the county treasury to aid the free public schools of said county.

The bill was read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Kyle, Lee, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Pettus, Porter, Posey, Rattray, Simmons, Smisson, Stansel, Stone,

Stowers, Tatum, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—65.

By Mr. Smisson—

H. B. 555. For the protection of widows and minor children.

The bill was read the third time at length and passed—yeas 63, nays 2.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, George, Hampton, Hardy, Higgins, Hogue, Kemp, King, Lay, Lee, Lewis, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Wade, Walker, Watson, Webb, Williams, White of Dallas, White of Geneva—63.

Nays—Messrs. Benners, Winston—2.

By Mr. Arrington—

H. B. 604. To amend section six (6) of an act entitled an act to authorize the commissioners court, or court or board of county revenues, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Wilcox, Antauga, Lowndes, Russell, Monroe, Lawrence and Perry to establish or abolish districts in which stock may be prevented from running at large.

Mr. Arrington moved to amend the bill by striking out Sumterville and Lacy's beat, and by making the time for taking stock to the first day of March, instead of the first day of April.

Carried.

The bill was read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Curtis, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Hardy, Hogue, Kemp, Knight, Lay, Lee, Lewis, Long, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smaw, Stansel, Stone, Stowers, Tatum, Walker, Watson, Weaver, Webb, Williams, Winston, White of Dallas—64.

By Mr. Bourdeaux—

H. B. 612. To remove the disabilities of non-age of Miss Leila Crews of Sumter county.

The bill was read the third time at length and passed—yeas 59, nays 2.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Fitzpatrick, George, Hampton, Higgins, Hogue, Kemp, King, Knight, Lay, Lee, Lewis, Long, Longshore, Mancill, Maley, Meador, Miller, McLendon, McLeod, McRee, Nelson, Paine, Patton, Pitts, Posey, Powell, Simmons, Sowell, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas—59.

Nays—Benners, Pettus—2.

By Mr. McElderry—

H. B. 889. To amend section 457 of the Code of Alabama.

The bill was read the third time at length, and on motion of Mr. Meador, was laid on the table.

By Mr. Webb—

H. B. 845. To incorporate and establish a charter for the town of Childersburg, in Talladega county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Allen, Anderson, Benners, Billingslea, Bogart, Bolton, Blevins, Bradley, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Files, George, Hampton, Hardy, Henderson, Hogue, Kemp, King, Knight, Lee, Lewis, Long, Longshore, Mancill, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Patton, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—56.

By Mr. Dark—

s. 287. To provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander city, in Tallapoosa county, and to regulate the same.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Billingslea, Bogart, Bolton, Blevins, Bradley, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, George, Hampton, Hardy, Higgins, Hogue, Kemp, King, Knight, Lewis, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElderry, McRee, Nelson, NeSmith, Patton, Porter, Posey, Powell, Pratt, Rattray, Sim-

mons, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—58.

By Mr. Dark—

s. 245. To authorize and empower the court of county commissioners of Tallapoosa county to borrow money to complete the settlement of the bonded indebtedness of said county.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Carter, Clements, Cochran, Cornelius, Cunningham, Curtis, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Kemp, King, Knight, Lay, Lewis, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Por-ter, Posey, Powell, Pratt, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—60.

By Mr. Clements—

H. B. 316. To amend an act entitled an act to establish the Warrior Agricultural District, and to provide for secur-ing the same, and management of its affairs, approved February 12th, 1879.

Mr. Clements offered the following amendment.

Amend by striking out on page 2 after the words Greens-boro road, in line 2, down to the 8th line, and insert the follow-ing: Thence south along the west side of Greensboro road to a point at which said road crosses the section line between sec-tions 10 and 15, running thence west along the said line be-tween sections 10 and 15, and section 9 and 16 to the south-west corner of southeast quarter of section 9, township 24, range 5, east; thence north along the line between the southeast quarter of section 9 and the southwest quarter of section 9 to the centre of section 9; thence west along line between the southwest quarter of section 9 and the northwest quarter of sec-tion 9 to a point on the line between sections 8 and 9; thence north along the line between sections 8 and 9 to the Warrior river; thence up the Warrior river to the point of beginning; Provided, that the land owners within the new extension of the Warrior Agricultural District shall build a good substantial and lawful fence from the said 204 mile post along said described line southward to the Warrior river, and keep the same in good order and repair without aid or expense to the

old or former Warrior Agricultural District; Provided further, that when said substantial and lawful fence shall be built as above described, then the extension of said agricultural district shall be governed by the rules and regulations of the Warrior Agricultural District.

Adopted.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Billingslea, Bogart, Bolton, Blevins, Bradley, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Davie, Dykes, Hampton, Henderson, Higgins, Hogue, Kemp, King, Knight, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smisson, Stone, Stowers, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—57.

By Mr. Cochrane—

H. B. 580. For the preservation of game animals and birds in the county of Tuscaloosa.

The bill was read the third time at length and passed—yeas 68, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Kemp, King, Knight, Kyle, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Snav, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—68.

By Mr. Cornelius—

H. B. 733. To incorporate the Jasper Trust company.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Files, George, Hampton, Henderson, Higgins, Hogue, Kemp, King, Kyle, Lay, Lee, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, Nelson, Paine,



Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Walker, Ward, Weaver, Webb, Williams, White of Dallas, and White of Geneva—62.

By Mr. Posey—

H. B. 736. To authorize the county commissioners of Washington county, and board of revenue and road commissioners of Mobile county to re-establish and fix the boundary line between said counties.

The bill was read the third time at length and passed—yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Bogart, Bolton, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—73.

By Mr. George—

H. B. 824. To authorize James T. Beck and others to establish a public ferry at Ellis' Landing on the Alabama river, in Wilcox county, Alabama.

The bill was read the third time at length and passed—yeas 68, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—68.

By Mr. Miller—

H. B. 515. For the relief of Lewis R. Powell, of Marshall county.

The bill was read the third time at length and passed—yeas 57, nays 9.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Bourdeaux, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Curtis, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kyle, Ledyard, Long, Longshore, Maley, Miller, McElvey, McLendon, McRee, NeSmith, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smisson, Stone, Stowers, Tatum, Wade, Ward, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—57.

Nays—Messrs. Benners, Billingslea, Hardy, Lay, Moseley, McElderry, Pettus, Rabb, White of Dallas—9.

By Mr. Winston—

H. B. 518. To amend section 4 of an act entitled an act to divide the State of Alabama into four chancery divisions, approved February 28, 1887, as to the 14th and 15th districts of Northwestern Chancery Division.

The bill was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Curtis, Darby, Dark, Davie, Files, Fitzpatrick, George, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Lee, Lewis, Long, Longshore, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Weaver, Webb, Williams, Winston, White of Geneva—66.

By leave, Mr. Hundley called up—

s. 297. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to negotiate a loan for the improvement of the streets, and of the sanitary condition of the said town, and to issue bonds for the payment of said loan.

The bill was read the third time at length and passed.

Yeas 72, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Kyle, Lav, Ledyard, Lewis, Longshore, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Pow-

ell, Pratt, Rabb, Simmons, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Ward, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—72.

By Mr. Pratt—

H. B. 590. To amend an act to incorporate the town of Prattville, approved February 19, 1872.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Curtis, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, NeSmith, Patton, Pitts, Porter, Posey, Powell, Simmons, Smaw, Smisson, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—62.

By Mr. Tatum—

H. B. 707. For the relief of the Columbus Insurance and Banking Company of the State of Mississippi.

The bill was read the third time at length and lost—yeas 23, nays 42.

Yeas—Messrs. Anderson, Bogart, Carter, Clark, Cornelius, Files, Hogue, Kemp, Ledyard, Lewis, McLendon, McLeod, Paine, Patton, Posey, Pratt, Smaw, Smisson, Stansel, Stone, Stowers, Ward, Woolf—23.

Nays—Messrs. Speaker, Allen, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Hundley, Knight, Lee, Longshore, Maddox, Mancill, Maley, Moseley, McElderry, McRee, Nelson, NeSmith, Pettus, Pitts, Porter, Powell, Sowell, Summers, Tatum, Walker, Weaver, Webb—42.

By Mr. Shorter (Mr. Hogue in the chair)—

H. B. 832. To ratify, confirm and legalize the acts and order of the commissioners court of Barbour county in establishing districts in which stock shall be prohibited from running at large.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Billingslea, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements,

Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Files, George, Hampton, Hardy, Henderson, Hogue, Hundley, Knight, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Pettus, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Walker, Ward, Webb, Williams, Winston, White of Geneva—59.

By Mr. Davie—

H. B. 609. To amend section 1305 of the Code.

The bill was read the third time at length and \*passed—yeas 78, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins,  
Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunn-  
ingham, Darby, Dark, Davie, Dupree, Dykes, Files, George,  
Hampton, Hardy, Henderson, Hogue, Hundley, Kemp,  
King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Mad-  
dox, Mancill, Maley, Moseley, McElderry, McElvey, McLen-  
don, McLeod, McRee, Nelson, NeSmith, Paine, Patton,  
Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons,  
Summers, Smaw, Smisson, Stansel, Stone, Walker, Ward,  
Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf,  
White of Geneva—78.

By Mr. Weaver—

H. B. 255. To repeal an act entitled an act to provide for  
the keeping in better repair the public roads and highways of  
Morgan county.

The bill was read the third time at length and passed—yeas  
62, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Blevins, Bradley,  
Brown, Cunningham, Darby, Dark, Dupree, Dykes, Files,  
George, Hampton, Hardy, Henderson, Hogue, Hundley,  
King, Knight, Ledyard, Lewis, Longshore, Lowe, Maddox,  
Mancill, Maley, Meador, McElderry, McElvey, McLendon,  
McLeod, McRee, Nelson, NeSmith, Pettus, Pitts, Porter,  
Rabb, Rattray, Simmons, Sowell, Summers, Smaw, Smisson,  
Stansel, Stone, Walker, Ward, Weaver, Wiley, Williams,  
Winston, Woolf, White of Geneva—62.

By Mr. Powell—

s. 231. For the relief of Samuel J. Bolling and Warren  
R. Thaggard, as sureties on the official bond of Jonathan  
L. Powell, as judge of probate for Butler county, Alabama.

The bill was read the third time at length and passed.

Yeas 63, nays 2.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Billingslea, Bogart, Blevins, Brown, Carter, Clark,  
Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files,  
Fitzpatrick, French, George, Hampton, Hardy, Henderson,  
Hogue, Hundley, Kemp, King, Knight, Longshore, Lowe,  
Maddox, Mancill, Maley, Meador, McElderry, McElvey,  
McLendon, McRee, Nelson, NeSmith, Pettus, Pitts, Porter,  
Posey, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson,  
Stansel, Stone, Stowers, Wade, Ward, Watson, Watters,  
Weaver, Webb, Wiley, Williams, Winston, Woolf, White of  
Geneva—63.

Nays—Messrs. Ledyard, Moseley—2.

By Mr. Stowers—

H. B. 899. To amend section 1420 of the Code of 1886, so  
far as the same relates to Bullock county.

Mr. Stowers offered an amendment.

Which was adopted.

The bill was read the third time at length and passed.

Yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Bolton, Bourdeaux, Blevins, Brown, Carter,  
Clark, Clements, Cunningham, Darby, Dupree, Files, Fitz-  
patrick, George, Hampton, Hardy, Henderson, Higgins,  
Hogue, Hundley, King, Knight, Ledyard, Lee, Longshore,  
Maddox, Mancill, Moseley, McElderry, McLendon, Nelson,  
Pettus, Porter, Powell, Pratt, Rattray, Simmons, Sowell,  
Summers, Stansel, Stowers, Wade, Walker, Watson, Weaver,  
Webb, Wiley, Williams, Winston, Woolf, White of Ge-  
neva—57.

By Mr. King—

H. B. 32. To bar certain claims of witnesses registered  
against the fine and forfeiture fund of Bullock county.

The substitute and amendment offered by the committee  
were adopted.

The bill was read the third time at length and passed.

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Billingslea, Bolton, Bourdeaux, Blevins, Bradley,  
Brown, Carter, Clements, Cochrane, Cunningham, Curtis,  
Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French,  
George, Hampton, Hardy, Henderson, Higgins, Hogue,  
Hundley, King, Knight, Lay, Ledyard, Lee, Lewis, Maddox,  
Mancill, Maley, Miller, Moseley, McElderry, McLendon,  
Nelson, Pettus, Porter, Powell, Pratt, Rabb, Simmons,

Sowell, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf—62.

By Mr. Williams—

H. B. 817. To authorize the commissioners court of Calhoun county to levy a tax and provide a system of public road working for said county.

The substitute offered by the committee was adopted.

The bill was read a third time at length and passed.

Yeas 54, nays 7.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bogart, Bolton, Brown, Cochrane, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Hogue, Hundley, Knight, Ledyard, Lee, Longshore, Maddox, Mancill, Meador, Moseley, McElderry, McLendon, Posey, Pratt, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—54.

Nays—Messrs. Billingslea, Bogart, Maley, Powell, Rabb, Simmons—7.

By Mr. Maley—

H. B. 859. To amend section 1085 of the Code.

The bill was read a third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Brown, Carter, Claak, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElvey, Nelson, Patton, Pettus, Porter, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—61.

Also,

H. B. 858. To amend section 150 of the Code.

The bill was read the third time at length and passed; yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Blevins, Brown, Clark, Cunningham, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, Moseley, McElderry, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Stansel, Stone, Stowers, Tatum, Walker, Wat-



son, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—61.

By Mr. Rattray—

H. B. 623. To provide for an election in the county of Cherokee, to determine whether or not the sale of spirituous, vinous or malt liquors in Cherokee county shall be allowed.

The bill was read the third time at length and passed.

Yeas 50, nays 9.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Billingslea, Bogart, Bush, Brown, Carter, Clark, Cunningham, Darby, Dark, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Lay, Ledyard, Lewis, Longshore, Maddox, Moseley, Pettus, Porter, Posey, Rattray, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Walker, Ward, Watson, Watters, Webb, Wiley, Winston, White of Geneva—50.

Nays—Messrs. Bourdeaux, Dupree, Maley, McLendon, Nelson, Pratt, Rabb, Stowers, Weaver—9.

By Mr. Dykes—

s. 184. To repeal an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1st, 1887, so far as said act relates to beat number one (1) of Chilton county.

The bill was read the third time at length and lost.

Yeas 19, nays 39.

Yeas—Messrs. Speaker, Billingslea, Bogart, Brown, Clark, Cochrane, Cunningham, Files, Fitzpatrick, George, Hogue, Hundley, Lay, Ledyard, Mosely, Pettus, Porter, Smisson, Woolf, White of Geneva—19.

Nays—Messrs. Allen, Arrington, Bogart, Bourdeaux, Blevins, Carter, Clements, Cochrane, Darby, Dark, Dupree, Hampton, Hardy, Henderson, Higgins, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, McDerry, McLendon, Nelson, Patton, Posey, Pratt, Rabb, Simmons, Sowell, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston—39.

On motion of Mr. McRee,

s. 275 was recommitted to the committee on local legislation.

On motion of Mr. White, of Dallas,

H. B. 814 was recommitted to the committee on ways and means.

On motion of Mr. Cochrane,\*

H. B. 466 was made a special order for to-morrow after reading the journal.

#### CONFERENCE REPORT.

Mr. Pitts, from a conference committee, submitted the following report :

*Mr. Speaker :*

Your committee, to whom was referred the disagreement of the two houses on the senate amendment to

H. B. 241. To amend sections two, three, four, six, fourteen and thirty-three of an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof,

Have had the same under consideration and recommend that the house concur in the senate amendments to said house bill, which are follows :

Amend H. B. 241, title, by striking out "and chief of police."

Amend section 2, 8th line, strike out "and chief of police" down to and by erasing all after the word "that" in 14th line inclusively; "1889" in 19th line, and insert in lieu thereof the following: It shall be the duty of the president and commissioners of the Opelika police board, immediately after the passage of this act, to appoint three resident citizens of Opelika to act as managers of said election on the 4th Tuesday in March, 1889.

In 19th line, section 2, after the words "further duty," strike out "judge of probate of Lee county," and insert in lieu thereof "Opelika Police Board."

In 32d line, section 2, strike out "probate judge," and insert "clerk of police board."

In 42d line, section 2, strike out "and chief of police."

In 53d line, section 2, strike out "and chief of pelice."

In 59th line, section 2, strike out judge of probate Lee county, and insert "the Opelika police board."

In 66th line, section 2, strike out "judge of probate of Lee county, Alabama," and insert "the Opelika police board."

Amend section 6, in 12th line: strike out "quarterly reports," and insert "semi-annual reports."

Amend section 14, 7th line, after the word "appointed,"

strike out "except the office of chief of police, who shall be elected as herein stated."

J. H. HARRIS, Ch'm,  
On part of senate.  
A. D. PITTS, Ch'm,  
W. D. KYLE,  
W. A. McELVEY,  
On part of house.

The report of the conference committee was concurred in.  
Yeas 62, nays 0.

Yeas--Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Blevins, Bradley, Carter, Clark,  
Cochrane, Cornelius, Cunningham, Darby, Dark, Files,  
George, Hampton, Hardy, Higgins, Hogue, Kemp, King,  
Knight, Kyle, Lay, Lee, Lewis, Long, Longshore, Maley,  
Miller, Moseley, McElderry, McElvey, McLendon, Nelson,  
NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt,  
Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Walker,  
Watson, Watters, Weaver, Webb, Williams, Winston, Woolf,  
White of Dallas, White of Geneva - 52.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 11, 1889.

*Mr. Speaker:*

The governor has approved the following bills, which originated in the house :

House bills one hundred and thirty-seven (137), twenty-two (22), one hundred and seventy-nine (179), one hundred and eighty-four (184), one hundred and ninety-six (196), two hundred and ninety (290), three hundred and twenty-five (325), three hundred and forty-five (345), three hundred and seventy (370), three hundred and eighty-seven (387), four hundred and ninety-nine (499), five hundred and sixty-three (563), six hundred and eighty-five (685), two hundred and fifty-eight (258), one hundred and seventy-one (171), and four hundred and sixty (460).

THOS. H. CLARK,  
Recording Secretary.

The hour of 7:30 p. m. having arrived, the house stood adjourned till to-morrow morning at 9:30 o'clock.

## THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

Tuesday, February 12, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—97.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted indefinitely to Mr. Curtis on account of sickness, and to Mr. Johnson for this evening.

## RECONSIDERATION.

On motion of Mr. Knight, the vote by which  
s. 184. To repeal an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1, 1887, so far as said act relates to Beat No. 1 of Chilton county,

Was lost on yesterday, was reconsidered.

The bill was lost—yeas 14, nays 62.

Yeas—Messrs. Speaker, Anderson, Arrington, Billingslea, Fitzpatrick, George, Hogue, Hundley, Knight, Lay, Ledyard, Sowell, Porter, Smisson—14.

Nays—Messrs. Allen, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornel-

ius, Cunningham, Darby, Dark, Davie, Dupree, French, Hampton, Hardy, Henderson, Higgins, Kemp, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wake, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Dallas—62

Mr. Clements moved to make

H. B. 89. To fix the rate of taxation in the State,  
A special order for to-morrow after reading the journal.  
Carried.

#### RESOLUTION.

By leave, Mr. Woolf offered the following joint resolution, which was amended by Mr. Clements, by including University of Alabama, and Agricultural and Mechanical college.

#### JOINT RESOLUTION.

*Resolved by the House* (the senate concurring), That the Governor is hereby authorized and required to have the printed reports of the different departments of the State government bound together, each year, in one or more volumes, for the use of the officers at the capitol and the supreme court library.

*Resolved further*, That the governor shall have bound as many copies of such volumes or "State documents" as may be necessary for the purposes stated, and shall direct the auditor to draw his warrant on the treasurer for an amount not to exceed one hundred dollars in payment for the binding of said reports.

The resolution was read and referred to the judiciary committee.

Mr. Hogue moved to suspend the rules and to take up,

s. 349. Requesting the senators and representatives in congress from Alabama to use their earnest endeavors to secure a donation of lands or money to aid in establishing a State Female Industrial school and University in Alabama for white girls,

And dispose of it.

Carried.

The resolution was read a third time at length and adopted.

## SPECIAL ORDERS.

*First.*

H. B. 607. To establish the law and equity court of Tuscaloosa.

Mr. Cochrane offered the following amendment :

"The solicitor shall receive \$1,000.00 as his salary, to be paid out of the fees of the office, and all over that amount in any one year, to be paid into the treasury of the State.

Mr. Clements moved to amend Mr. Cochrane's amendment by providing that solicitor's salary should be paid out of the treasury of Tuscaloosa county ;

Which, on motion of Mr. Cochrane, was laid on the table.

Mr. Cochrane's amendment was then adopted.

Mr. Clements offered the following amendment: "Strike out the fees of \$5.00 and \$10.00, where they occur in the bill.

Adopted.

The bill was read the third time at length and lost—yeas 36, nays 46.

Yeas—Messrs. Speaker, Barnett, Benners, Bolton, Blevins, Carter, Cochrane, Cunningham, Fitzpatrick, George, Hogue, Johnson, King, Knight, Ledyard, Lewis, Lowe, Meador, Miller, McElderry, McLendon, McLeod, Pettus, Pitts, Porter, Posey, Powell, Rattray, Smith—36.

Nays—Messrs. Anderson, Arrington, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Brown, Clark, Clements, Cornelius, Dark, Dupree, Dykes, Files, Hardy, Higgins, Kemp, Kyle, Lay, Lee, Maddox, Maley, Moseley, McElvey, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Wade, Ward, Watson, Webb—46.

Mr. Cochrane gave notice that, on to-morrow, he would move to reconsider the vote by which the bill was lost.

*Second.*

s. 338. To provide for an additional judge of the Supreme Court of Alabama.

Mr. Pettus offered the following amendment :

Amend by striking out section 4 of the bill, and inserting in lieu thereof the following :

Section 4. Be it further enacted, That whenever the four



judges of the supreme court are equally divided upon the question of affirmance or reversal of any decree or judgment on appeal pending therein, they shall certify the fact of such division to the governor, who shall then appoint a member of the bar of the supreme court to sit with them and hear and determine such cause.

Adopted.

The bill was read the third time at length and passed—yeas 75, nays 7.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bolton, Bush, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Dark, Davie, Files, Fitzpatrick, French, George, Hardy, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Watters, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—75.

Nays—Messrs. Bogart, Blevins, Dark, Dupree, Dykes, Nelson, Summers—7.

Mr. Pettus moved to reconsider the vote by which the bill passed, and then moved to lay that motion on the table.

The latter motion prevailed.

### *Third.*

H. B. 466. To repeal the act entitled an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto.

On motion of Mr. Cochrane, the bill was recommitted to committee on judiciary, with leave to report at any time, and the bill to be a special order whenever reported.

### ENGROSSED BILLS.

*Mr. Speaker:*

The committee on engrossed bills report the following bills correctly engrossed, to-wit: Nos. 733, 316, 623, 845, 255, 736, 515, 612, 824, 555, 519, 609, 817, 209.

JOHN V. SMITH,  
Chairman.

## BILLS ON THIRD READING.

By leave, Mr. Pitts called up  
s. 232. To incorporate the Marion Military Institute, in Marion, Perry county, Alabama.

The bill was read the third time at length and passed; yeas 73, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Barnett, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins,  
Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cun-  
ningham, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick,  
French, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp,  
King, Knight, Kyle, Ledyard, Lee, Longshore, Maddox,  
Mancill, Maley, Meador, Miller, Moseley, McElvey, Mc-  
Leod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts,  
Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons,  
Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone,  
Tatum, Watters, Webb, Wiley, Williams, Winston, Woolf,  
White of Dallas, White of Geneva—73.

By leave, Mr. Dupree called up

s. 229. To incorporate the Birmingham Female College.

The amendment of the committee to strike out section 11 of the bill was adopted.

The bill was read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark,  
Clements, Cochrane, Cornelius, Cunningham, Dark, Davie,  
Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy,  
Henderson, Hundley, Kemp, Knight, Kyle, Ledyard, Long,  
Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley,  
McElderry, McElvey, McLendon, McLeod, McRee, Nelson,  
NeSmith, Nisbet, Porter, Posey, Pratt, Russell, Simmons,  
Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker,  
Watters, Weaver, Webb, Williams, Winston, Woolf—65.

## INTRODUCTION OF BILLS.

Bills were introduced,

By Mr. Kyle—

H. B. 990. To establish a separate school district at Salem, Lee county, Alabama, and to provide a board of trustees therefor, with petition.

By Mr. NeSmith—

H. B. 991. To incorporate the Male and Female Academy

located in the town of Leighton, Lawrence county, Alabama.

By Mr. Fitzpatrick—

H. B. 992. To define the obligation taken by pupils entering normal schools, and to provide for the enforcement thereof.

By Mr. French—

H. B. 993. For the relief of Alice Giddens of Jackson county.

By Mr. Fitzpatrick (by request)—

H. B. 994. To amend an act entitled an act to prohibit the sale, giving away, or disposing of any spirituous liquors, approved December 4, 1886.

By Mr. Fitzpatrick (by request)—

H. B. 995. To authorize the city of Montgomery to maintain a hospital and to provide for the expenses of quarantine regulations.

By Mr. White of Dallas—

H. B. 996. To amend section 3 of an act entitled an act to revise and amend the act incorporating the Selma Fair Company, approved February 9, 1860.

The foregoing bills were severally read one time and referred to appropriate committees as follows:

House bills 995, 996, to judiciary.

House bill 991, to corporations.

House bill 994, to education.

House bill 993, to accounts and claims.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Stansel, from committee on revision of laws, reported favorably to

s. 22. To amend an act entitled an act to release the Tennessee and Coosa Railroad Company from its indebtedness to the State of Alabama.

Also,

s. 400. To amend section 1 entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters or mixtures within five miles of Good Water Academy, Coosa county, and in the county of Butler, except beat number 12 of said county.

Mr. Winston moved to take from the adverse calendar

H. B. 618. To amend section 1005 of the Code,

And have it read a second time.

Carried, and bill read a second time.

Mr. Porter moved to take from the adverse calendar

H. B. 386. To amend section 3947 of the Code, so far as the same relates to Jefferson county,

And have it read a second time.

Carried, and bill read a second time.

Mr. Pettus, from the committee on the judiciary, reported favorably to the following bills:

s. 256. To regulate the survey and division of lands into lots, and platting the same, with amendment.

Also,

H. B. 960. Authorizing courts of county commissioners or county boards of revenue to refund in certain cases money paid upon forfeited bail bonds.

Also,

H. B. 954. For the relief of the heirs of Daisey Hardy, deceased.

Mr. Lay, from the committee on ways and means, reported favorably to the bills,

s. 300. To provide for the compensation of expert accountants employed by the joint committee of the General Assembly to examine the offices of auditor and treasurer.

Also,

s. 303. For the relief of James B. Kornegay, Marengo county.

Also,

H. B. 860. To provide for the disposition of the fund derived from the sale of sixteen sections or other school lands, and to secure the interest thereon for the public schools of the State.

s. 285. To provide for the payment for official service of the sheriff of Barbour county for services rendered not otherwise provided for.

Also, substitute for the

H. B. 942. To amend sections 2 and 3 of an act entitled an act to pay salaries to solicitors instead of the fees they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

Also,

H. B. 970. To create the office of cotton weigher of Lime-stone county, to provide for filling the same and to prescribe the duties and compensation thereof.

Also,

H. B. 959. To provide for the collection of State and

county taxes where tax payers list their property for taxes in one county, and remove to another without paying their taxes.

Mr. Summers moved to take from the adverse calendar house bill 796, so as to read the bill a second time and place it on the calendar.

Mr. Pettus moved to indefinitely postpone the consideration of Mr. Summers' motion.

Carried.

Mr. White of Dallas, from committee on appropriations, reported favorably

H. B. 952. To pay Robert Hasson, door keeper of the house, and James Armstrong, door keeper of the senate, for articles purchased for the senate and house of representatives.

Mr. Lee, from the committee on temperance, reported favorably to the bills,

s. 243. To prohibit the manufacture, sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, at or within five miles of Goose Pond church, in Jackson county, Alabama.

s. 322. To prohibit the sale, giving away or other disposing of vinous, spirituous or malt liquors, intoxicating bitters, cordials, or fruits preserved in alcoholic liquors, within four miles of the Davis Creek church, Favors beat, Tuscaloosa county.

H. B. 948. To prevent the manufacture, sale, or giving away of spirituous, vinous or malt liquors within five miles of Union Chapel church, in Pickens county.

H. B. 962. To prevent the sale, giving away, or otherwise disposing of spirituous or intoxicating liquors on Sunday.

H. B. 925. To amend an act to regulate the issuance of license to sell vinous, spirituous or malt liquors in Morgan county.

H. B. 935. To prohibit the sale or giving away of vinous, spirituous or malt liquors within four miles of Mountain Mill and Pine Grove churches, in Colbert county.

H. B. 941. To prohibit the sale, or giving of spirituous, vinous or malt liquors, or fruit preserved in alcohol or alcoholic liquors within three miles of Oak Grove church in Calhoun county.

Mr. Lowe, from committee on corporations, reported following bills favorably:

s. 201. To reduce the capital stock of the Oakwood Real Estate Company.

s. 246. To incorporate the Jacksonville, Williamsport and Anniston Railway Company.

s. 161. To amend section one of an act to establish a new charter for the town of Cullman, approved February 7, 1879.

s. 135. To incorporate the town of Leighton, in Lawrence and Colbert counties.

H. B. 658. To incorporate the Railway Passengers Indemnity Company.

s. 244. To amend the charter of the Birmingham Trust and Savings Company, incorporated under the general laws of Alabama.

H. B. 910. To incorporate the town of Haleysville, in Winston county;

With amendment.

H. B. 890. To amend the charter of the first Presbyterian church of Talladega.

H. B. 945. To amend section six of an act to incorporate the town of Dadeville in Tallapoosa county, approved January 16th, 1879.

H. B. 787. To amend an act to incorporate the town of Scottsboro, in the county of Jackson, approved January 20, 1870, and the act amendatory thereto, approved February 5, 1877, entitled an act to amend section thirteen of an act, approved January 20, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson;

With amendment.

s. 348. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal company of Alabama, and to amend the same.

H. B. 782. To amend an act entitled an act to incorporate the town of Town Creek, in Lawrence county, Alabama.

H. B. 222. For the proper ventilation and conduct of coal mines or colliers in the State of Alabama, and providing for the creation of a State board of examiners, for the examination of candidates for the office of mine inspector, and prescribing the mode of such inspector's appointment, duties and term of office, and providing for his compensation, and that of the examiners;

With amendment.

Mr. Watson, from committee on local legislation, reported favorably,

s. 355. To prohibit stock from running at large in a part of beat 7, in Lee county, Alabama.

Mr. McElderry, from committee on public roads and highways, reported favorably to the—

H. B. 989. To amend the title and also sections one and five of an act to authorize the mayor and board of aldermen



of the city of Gadsden to negotiate a loan for lighting said city by either gas or electricity, for drainage sewerage and for sanitary purposes, and to issue bonds for the payment of the same, approved February 28th, 1887.

Mr. Cunningham, from the committee on accounts and claims, reported the following bill favorably:

H. B. 963. To authorize Alex. Coffee to establish a ferry across the Tennessee river.

Mr. Hogue, from committee on fees and salaries, reported favorably to the following bills:

H. B. 906. To fix the commissions of tax assessor of Butler county.

H. B. 987. For the relief of B. F. Noble of Montgomery county.

Mr. Ledyard, from special committee of the Mobile delegation, reported favorably—

H. B. 863. To regulate Mobile Harbor;  
With amendment.

All of the above bills reported by the above mentioned committees, were severally read a second time and placed upon the calendar.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Watters—

H. B. 695. To grant the Dayton & Faunsdale Railroad Company, the right of way through section sixteen, in township seventeen, range five, east, in Marengo county.

The bill was read the third time at length and passed—  
Yeas 56, nays 1.

Yeas—Messrs. Allen, Anderson, Arrington, Benners, Bevis, Bush, Blevins, Brown, Carter, Clements, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hardy, Henderson, Higgins, Hundley, Knight, Ledyard, Lee, Lewis, Maddox, Maley, Meador, Moseley, Nelson, Ne-Smith, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Winston, Woolf, White of Dallas, White of Geneva—56.

Nay—Mr. Williams—1.

By Mr. McLeod—

H. B. 797. For the relief of Joseph W. Cunningham, and Mrs. A. A. York of Clarke county.

The bill was read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hundley, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maley, Meador, Miller, Moseley, McElderry, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Ratray, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Weaver, Williams, Woolf, White of Dallas, White of Geneva—65.

Mr. McLeod moved to reconsider the vote by which the bill was passed, and then to lay that motion on the table.

The latter motion prevailed.

The bill was ordered to the senate without engrossment.

By leave, by Mr. Lowe—

H. B. 913. To provide for the payment of the solicitor of the tenth judicial circuit.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, Meador, Moseley, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—58.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills:

s. 79. To require the sale of personal property on condition, to be written and recorded.

s. 166. To amend section 4045 of the Code of Alabama.

s. 305. To permit small balances due employees for wages or services, to be disposed of for the benefit of their widows and orphans without administration.

s. 249. To authorize the judge of the circuit court to fix by

an order entered on the minutes of the court, the time when the criminal docket shall be taken up at the next succeeding term, in the several counties now composing the seventh judicial circuit.

s. 279. To amend section 971 of the Code.

s. 294. To amend section 3615 of the Code.

s. 330. For the protection of policy holders in life insurance companies doing business in this State.

s. 291. To create a lien in favor of laborers, clerks, salesmen and other employees for their wages or salaries.

s. 289. To amend section 2972 of the Code of Alabama.

And has passed,

H. B. 421. To make an appropriation for the expenses of encampments of Alabama State Troops for the years 1889 and 1890.

H. B. 369. To amend section 3024 of the Code.

H. B. 150. To amend paragraph numbered one, of section 1525 of the Code of Alabama.

And has amended as therein shown, and as amended has passed :

H. B. 545. To amend section 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885, which last act was approved February 28th, 1887.

H. B. 613. To provide for the time of holding the circuit courts in the sixth judicial circuit of this State.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The house concurred in the first senate amendment to—

H. B. 545. To amend section 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collec-

tion of taxes for the use of the State and counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885, which last act was approved February 28th, 1887.

Yeas—68, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Barnett, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maley, Meador, Miller, Moseley, McElvey, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Russell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Wiley, Williams, Winston, White of Dallas, White of Geneva—68.

The house also concurred in the second senate amendment to said house bill 545.

Yeas 67, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Bolton, Bush, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Maley, Meador Miller, Moseley, McEl-derry, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pat-ton, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Ward, Watson, Watters, Wiley, Woolf, White of Dallas, White of Geneva—67.

The house concurred in the first senate amendment to—

H. B. 613. To provide for the time of holding the circuit courts in the sixth judicial circuit of this State.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Ben-ners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Files, French, Hampton, Henderson, Higgins, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, McElvey, McLendon, McRee, Nelson, Ne-Smith, Nisbet, Parker, Patton, Porter, Posey, Powell, Rattray, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—64.

And the house also concurred in the second senate amendment to said H. B. 613.

Yeas 70, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart Bolton, Bush, Blevins, Bradley,  
Brown, Carter, Clark, Cornelius, Cunningham, Darby, Dark,  
Davie, Du ree, Files, Fitzpatrick, George, Hampton, Hender-  
son, Hogue, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lee,  
Lewis, Longshore, Lowe, Maddox, Maley, Meadow, Moseley, Mc-  
Elvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet,  
Patton, Pettus, Porter, Posey, Pratt, Rabb, Russell, Simmons,  
Smisson, Stansel, Stone, Walker, Ward, Watson, Watters,  
Weaver, Webb, Wiley, Williams, Woolf, White of Dallas,  
White of Geneva—70.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 330, 291, 305, 249, 294, to judiciary.

s. 289, 166, 79, 279, to revision of laws.

#### RESOLUTIONS.

By leave, Mr. White of Dallas, offered the following resolution, which was adopted :

*Resolved by the House*, That when the committee clerks are not otherwise engaged with their committees, that they be and are hereby required to assist the clerk of the house.

By leave, Mr. Bradley offered the following resolution, which was adopted :

*Resolved*, That a committee of three be appointed to draft a bill embodying all bills reported favorably providing charters for schools.

The speaker appointed the following committee under the resolution :

Messrs. Fitzpatrick, Williams and Kyle.

Mr. McElderry moved that the special committee on education be allowed a clerk, with salary at \$4.00 per diem.

Carried.

#### MESSAGE FROM THE GOVERNOR.

#### • CHIEF EXECUTIVE OFFICE,

Montgomery, February 12th, 1889.

*Gentlemen of the Senate and House of Representatives :*

I submit to your consideration the question of the pro-

priety of Alabama's taking a fitting part in the approaching celebration in the city of New York, of the Centennial Anniversary of the organization of the constitutional government of the United States, of the first meeting of congress, and of the inauguration of George Washington as President of the United States.

The citizens of New York, in conjunction with the chamber of commerce of the State of New York, the New York Historical Society, the order of the Cincinnati, and the Society of the Sons of the Revolution have organized a committee of citizens, "on the Centennial celebration of April 30th, 1789," and have taken steps to make the observance of the occasion worthy of the city, of the State, and of the signal events to be commemorated.

It has been brought to my attention that at a meeting of one of the committees raised in pursuance of this purpose, viz: The Washington Centennial Celebration committee, a resolution was adopted in substance as follows: "To invite the co-operation of all the Governors of all the States and Territories, requesting them to bring the matter before the legislatures of the several States, and requesting the attendance of members of the legislatures, of gentlemen whose ancestors took a prominent part in the inauguration and of the inhabitants of the States who would be particularly interested in the event."

I have received from a like committee, the sub-committee on States, an invitation extended to myself and staff, to the legislature and to prominent citizens of Alabama, to attend in the city of New York, on the occasion of the celebration.

Washington is the most august figure in our history, and his inauguration as President of the United States, was the formal initiation of a system of government which remains to invoke the admiration and reverence of every American, and it would seem appropriate for the people of Alabama to honor his memory, honor the State, and honor the Union itself by participating in the approaching celebration.

THOS. SEAY.

The above message was referred to the committee on federal relations.



## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested.

s. 318. For the relief of William W. Jones.

s. 298. To confirm the incorporation of the town of New Decatur, in the county of Morgan, and to enlarge and define the corporate powers of said town.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills whose titles are set out in the above senate message.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m. to-day.

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 AFTERNOON SESSION.

The house reassembled at 3 p. m.

A quorum was present.

## BILLS ON THIRD READING.

The call of counties for the passage of bills was resumed, and bills were called up as follows :

By Mr. Nelson—

H. B. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4th, 1879, and the various acts amendatory thereof.

The substitute offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Files, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Long, Mad-

dox, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Stowers, Walker, Watters, Weaver, Webb, Williams, Woolf, White of Geneva—69.

On motion, the bill just passed, was ordered forthwith to the senate without engrossment.

By Mr. Allen—

H. B. 619. For the relief of W. A. Stephens, sheriff of Cleburne.

The bill was read the third time at length and passed—yeas 44, nays 8.

Yeas—Messrs. Speaker, Allen, Bevis, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, French, Henderson, Higgins, Hundley, Knight, Ledyard, Lee, Maddox, Maley, Meador, Moseley, McElderry, McLendon, McRee, NeSmith, Paine, Parker, Patton, Pratt, Sowell, Smisson, Stansel, Stone, Stowers, Wade, Watson, Weaver, Webb, Williams, Winston, White of Geneva—44.

Nays—Messrs. Billingslea, Bogart, Carter, Hardy, Kemp, McLeod, Pettus, Summers—8.

By Mr. Simmons—

H. B. 608. To amend section 4038 of the Code.

Mr. Pettus moved to lay the bill on the table.

Lost.

Mr. Smisson moved to strike out the words “not less than \$50.00.”

Lost.

Mr. Stansel moved to strike out all that portion of the bill which recites the original section of the Code.

Carried.

Mr. Pettus moved to strike out the enacting clause, which, on motion of Mr. Rabb, was laid on the table.

The bill was read the third time at length and passed—yeas 58, nays 15.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bush, Blevins, Bradley, Carter, Clark, Clements, Cochrane, Dark, Davie, Dupree, Files, Fitzpatrick, Hampton, Hardy, Henderson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Stansel, Stone, Stowers, Tatum, Wade, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—58.

Nays—Messrs. Benners, Billingslea, Bogart, Bolton, Brown,

Cunningham, French, Higgins, Hundley, Maddox, Pettus, Russell, Summers, Smisson, Winston—15.

By Mr. Lee—

H. B. 501. For the relief of Mrs. Mary Johnson, widow of Bryant Johnson, late of Conecuh county.

The bill was read the third time at length and passed—yeas 59, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Bush, Blevins, Bradley, Carter, Clements, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, George, Hampton, Henderson, Higgins, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Maddox, Maley, Meadow, Moseley, McElvey, McLendon, Nelson, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Winston, White of Dallas, White of Geneva—59.

Nay—Mr. Benners—1.

By Mr. Higgins—

H. B. 810. To provide for the election of township trustees of public schools by a vote of the people in the counties of Cullman, Blount, Lawrence and Covington.

Mr. Higgins moved to amend the bill by striking out the word Lawrence wherever it occurs in the bill.

Carried.

The bill was read the third time at length and passed—yeas 64, nays 8.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Powell, Pratt, Russell, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston—64.

Nays—Messrs. Dupree, George, Knight, Pettus, Porter, Posey, White of Dallas—8.

The bill was ordered to the senate without engrossment.

By Mr. Smisson—

s. 101. To amend a charter for the town of Louisville, in Barbour county.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, George, Hampton, Hardy, Higgins, Hogue, Kemp, King, Knight, Kyle, Ledyard, Lee, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—67.

By Mr. Bush—

s. 100. To amend section 1319 of the Code, so far as the same relates to the town of Louisville, in Barbour county.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochraue, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Files, French, George, Hampton, Hardy, Henderson, Kemp, King, Lay, Ledyard, Lee, Maddox, Maley, Meador, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—67.

By Mr. Summers—

s. 76. To constitute the city of Tuscumbia a separate school district, and to provide for the management of the public schools in said school district.

The bill was read the third time at length and passed.

Yeas 68, nays 0.

Yeas—Messrs. Allen, Anderson, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, French, George, Hampton, Hardy, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Long, Longshore, Maddox, Mancill, Maley, Meador, Mosely, McElderry, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt,

Rabb, Simmons, Summers, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Geneva—68.

By Mr. White, of Dallas—

H. B. 643. To prescribe the mode of notice to administrators and executors and guardians, in certain cases.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Borgart, Bolton, Bush, Blevins, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Files, George, Hampton, Hardy, Henderson, King, Knight, Kyle, Lay, Ledyard, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—54.

By Mr. Hardy—

H. B. 932. To incorporate the Pleasant Hill Academy, Pleasant Hill, Dallas county, Alabama.

The bill was read the third time at length and passed.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Billingslea, Bush, Blevins, Bradley, Brown, Carter, Clark, Cunningham, Dark, Davie, Dupree, Dykes, Files, Hampton, Hardy, Henderson, Higgins, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Rabb, Simmons, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watson, Watters, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—63.

By Mr. Billingslea—

H. B. 922. To pay mileage to the officers of the general assembly of Alabama.

Mr. Hundley moved to amend the bill by inserting the "journal clerk" in the provisions of the bill.

Carried.

The bill was read the third time at length and lost.

Yeas 40, nays 40.

Yeas—Messrs. Arrington, Benners, Bevis, Billingslea,

Bourdeaux, Blevins, Cochrane, Cornelius, Cunningham, Dark, Davie, Dykes, Files, George, Hampton, Hardy, Hundley, Ledyard, Lee, Lewis, Long, Lowe, Mancill, Meador, McEl-derry, McLeod, McRee, Nisbet, Pettus, Porter, Posey, Sowell, Smaw, Stansel, Stone, Tatum, Wade, Walker, Watson, Woolf, White of Dallas—40.

Nays—Messrs. Speaker, Adams, Bogart, Bolton, Bush, Bradley, Brown, Carter, Clark, Darby, Dupree, Fitzpatrick, French, Henderson, Higgins, Kemp, King, Knight, Kyle, Lay, Maddox, Maley, Miller, Moseley, McElvey, McLendon, NeSmith, Paine, Parker, Patton, Pitts, Powell, Rabb, Simmons, Smisson, Smith, Stowers, Ward, Williams, Winston, White of Geneva—40.

By Mr. Pettus—

H. B. 758. To locate the headquarters of the several regiments of Alabama State troops.

The amendment offered by the committee was adopted.

Mr. Pettus offered an amendment.

Mr. Ledyard moved to make the bill a special order for Friday next, after the special orders already fixed.

Carried.

By Mr. Watson—

H. B. 621. To regulate the granting of licenses to sell spirituous or vinous liquors within four miles of Friendship Baptist Church in beat 11, Crenshaw county.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Clark, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hundley, King, Knight, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Maley, Miller, McLendon, McLeod, NeSmith, Parker, Posey, Powell, Pratt, Rabb, Simmons, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Watters, Weaver, Webb, Woolf, White of Dallas, White of Geneva—56.

By Mr. Blevins—

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of DeKalb.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bogart, Bolton,



Bourdeaux, Bush, Blevins, Bradley, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Files, French, Hampton, Hardy, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Miller, Moseley, McLendon, McLeod, NeSmith, Paine, Parker, Pitts, Porter, Posey, Pratt, Simmons, Summers, Smaw, Smith, Stansel, Stone, Wade, Ward, Watson, Waters, Webb, Williams, Winston, Woolf, White of Geneva—57.

The bill was ordered to the senate without engrossment.  
By Mr. Parker—

H. B. 757. To repeal an act entitled an act to authorize the court of county commissioners of Elmore county to erect a bridge across the Coosa river at Wetumpka, and to issue bonds to pay for the same.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Bogart, Bolton, Bush, Blevins, Carter, Clark, Cunningham, Darby, Dark, Dupree, Files, George, Hampton, Hardy, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Rattray, Simmons, Sowell, Smith, Stansel, Wade, Ward, Watson, Webb, Williams, Winston, Woolf—54.

By Mr. Rabb—

H. B. 924. To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bolton, Bush, Blevins, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, French, George, Hampton, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Long, Longshore, Maddox, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Paine, Pitts, Porter, Posey, Pratt, Rabb, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Ward, Weaver, Webb, Williams, Winston, Woolf—57.

By Mr. Wade—

H. B. 931. To establish a new charter for the town of Attalla.

The bill was read the third time at length and passed.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, Paine, Parker, Patton, Pitts, Porter, Pratt, Rattray, Smisson, Smith, Stansel, Stone, Wade, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

By Mr. White of Dallas—

H. B. 554. To make appropriations for the payment of sheriffs for the removal of prisoners for the year ending September 30, 1887, the appropriation for the purpose named for said year having been expended.

The bill was read the third time at length and passed; yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Longshore, Maley, Meador, Miller, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Ward, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

The bill was ordered to the senate without engrossment.

By Mr. Files—

H. B. 473. To confer upon the justices of the peace of Fayette county the same jurisdiction, and to require of them the performance of the same duties in regard to misdemeanors as is now exercised by the county court of said county in reference to the trial of misdemeanors, and that they shall receive the same fees therefor.

On motion of Mr. Smith, the bill was laid upon the table.

By Mr. Bolton—

H. B. 921. To form a new county, to be named and called Bessemer county.

Mr. Pitts moved to amend the bill by striking out "Bessemer" in the title and body of the bill and inserting "King" in lieu therefor.

Carried.

The bill was read the third time at length and lost; yeas 21, nays 50.

Yeas—Messrs. Arrington, Bolton, Darby, Dark, Files, Long, Maddox, McLeod, Nisbet, Patton, Porter, Pratt, Rabb, Ratray, Smaw, Smith, Watson, Webb, Winston, White of Dallas, White of Geneva—21.

Those voting nay are

Messrs. Speaker, Adams, Allen, Anderson, Barnett, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Curtis, Davie, Denson, Dupree, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Pettus, Pitts, Posey, Powell, Russell, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Wiley, Williams, Woolf—50.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 338. To provide for an additional judge of the supreme court of Alabama.

s. 297. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to negotiate a loan for the improvement of the streets, and of the sanitary condition of the said town, and to issue bonds for the payment of said loan.

s. 349. Joint resolution requesting the senators and representatives in congress, from Alabama, to use their earnest endeavors to secure a donation of lands or money to aid in establishing a State Female Industrial School and University in Alabama for white girls.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The Speaker of the house, in the presence of the house, immediately after their titles had been publicly read by

the clerk, signed the bills whose titles are set forth in foregoing senate message.

#### ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following bills properly enrolled :

H. B. 552. To authorize the commissioners court of Perry county to establish or abolish districts in said county in which stock may be prevented from running at large.

H. B. 236. To amend an act entitled an act to create a separate school district in Jackson county, known as Pleasant Grove, out of a part of township five, range six, east.

H. B. 434. To amend section four of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, so far as the same relates to the county of Pike.

H. B. 260. To authorize the court of county commissioners of Pike county to levy a special tax in any such stock district as is now established or that may hereafter be established within said county, for the purpose of providing and maintaining line fences for such districts.

H. B. 380. To provide for the working of the public roads in the county of Talladega.

H. B. 567. To require the probate judge of Clark county, to prepare and keep in his office a general, direct and reversed index of the records of all deeds and mortgages of lands, or any estate or interests therein, and to provide just compensation therefor.

H. B. 653. To incorporate the town of Alco in the county of Escambia and State of Alabama.

H. B. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain lands lying and being in said county.

H. B. 428. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Shelby, Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Bibb, Geneva, Covington, Coffee, Dale and Lawrence, approved March 3d, 1870, so far as it relates to Coffee and Coosa counties.

H. B. 543. To authorize the auditor to settle with tax-collectors for taxes collected and paid in by them for the year 1887, at the rate of commissions allowed by laws in force at the time of the adoption of the Code.

H. B. 433. To declare void and of no force the sale of land for taxes made by the tax collectors in this State previous to the first day of January, 1881, when such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

H. B. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or cordials, or fruits preserved in alcohol, or alcoholic liquors, in Jefferson, Walker, Talladega, Autauga and Fayette counties, except in incorporated towns and cities having police regulations.

H. B. 311. To provide for the working, keeping up, repairing and improving the public roads, and opening, and making new public roads in Madison county, and to create a board in said county to have general supervision of all public roads therein for the working of which money is paid out of the county treasury.

H. B. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, the commissioners' districts, the public dirt roads, the railroads, streams and such other matters and things of local interest and importance, as they may deem proper, in said county.

H. B. 322. To prohibit hunting or trapping of game or fish on lands of another in Elmore county, and in Montgomery county, without the permission of the owner of the land or his or her agent.

H. B. 461. For the relief of W. J. Mims, late tax collector of Jefferson county, Alabama.

H. B. 631. To incorporate the Noble Institute.

H. B. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

H. B. 230. For the relief of State witnesses in Clarke county in cases where the State fails.

H. B. 147. To repeal section four of an act to provide for the election and regulation of justices of the peace and constables in that part of the county of Mobile which was included in the corporate boundaries of the city of Mobile, as the

same was formerly incorporated, approved February 12th, 1885.

H. B. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Talladega county, approved March 1, 1874.

H. B. 277½. To prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat 5 and 8 in Butler county, and to prescribe a rule of damages and rules of procedure in the trial of cases under this act.

H. B. 482. To require the county commissioners of Conecuh county to procure printed blank forms of certain conveyances and printed blank record books in conformity therewith for the use and distribution by the probate judge of said county, and to regulate the fees for recording the same.

H. B. 287. To amend an act entitled an act to change the manner of appointing overseers and apportioning of the roads in the county of Russell, the provisions of which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled an act to repeal and amend the road law in Jackson county.

H. B. 630. To lay off the county of Bullock into four commissioners districts.

H. B. 226. To provide for the election of county superintendents of education.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the above and foregoing report of the committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The Senate has originated and passed the following bills, and ordered the same forthwith to the house without engrossment:

s. 369. To authorize the mayor and council of the town of Decatur to negotiate a loan for the purpose of constructing sewers, and making other permanent public improvements in said town, and to issue bonds for the payment of said loan.



s. 350. To incorporate the Alabama Land and Immigration company.

s. 426. To confirm the incorporation and organization of the Florence Cotton and Iron company, and to define and declare the powers of said company.

s. 389. To incorporate the Florence Educational, Land and Development company.

s. 388. To ratify and confirm the incorporation and organization of the North Alabama Furnace, Foundry and Land company, and to amend and enlarge its corporate powers.

s. 427. To confirm the incorporation and organization of the Lauderdale Manufacturing company, and to define and declare the powers of said company.

s. 421. For the relief of the heirs of Daisy Hardy, deceased.

s. 217. For the relief of C. D. Martin, and others.

s. 401. To fix the pay of the superintendent of education of Perry county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The foregoing senate bills were severally read one time and referred to appropriate committees as follows:

Corporations, 369, 350, 426, 389, 388, 427.

Judiciary, 421, 217, 401.

The hour of 7:30 p. m. having arrived the house stood adjourned till 9:30 a. m. to-morrow.

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### THIRTY-NINTH DAY.

#### HOUSE OF REPRESENTATIVES,

WEDNESDAY, February 13, 1889.

House met pursuant to adjournment.

Prayer by Rev. Mr. Adams of the house.

Present—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe,

Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—94.

The journal of yesterday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Messrs. Henderson, Allen, Denson, and French indefinitely, and to Mr. Wiley for two days.

#### SPECIAL ORDER.

H. B. 89. To fix the rate of taxation in this State.

The amendment offered by the committee to make "the rate four and a half ( $4\frac{1}{2}$ ) mills on the dollar for fiscal year ending September 30, 1889, and after that four mills," was adopted.

Mr. McLeod moved to amend the bill by striking out  $4\frac{1}{2}$  mills and inserting in lieu 5 mills, which was tabled, on motion of Mr. Arrington.

Mr. Lay offered the following amendment:

Amend by making the rate five mills for the year 1889, and four and a-half mills for 1890, and four mills for 1891,

Which, on motion of Mr. Stone, was laid upon the table.

The bill was read the third time at length and passed—yeas 85, nays 6.

Yeas—Messrs. Speaker, Adams, Arrington, Barnett, Ben-ners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—85.

Nays—Messrs. George, Ledyard, Moseley, Rattray, Winston, White of Dallas—6.

## RECONSIDERATION.

Mr. Smisson moved to reconsider the vote by which  
H. B. 607. To establish the law and equity court of Tuska-  
loosa,

Was lost on yesterday.

Carried.

The bill passed—yeas 46, nays 32.

Yeas—Messrs. Speaker, Benners, Bevis, Bourdeaux, Bush, Cochrane, Cunningham, Darby, Davie, Fitzpatrick, French, George, Hardy, Hogue, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Miller, McElderry, McLeod, McRee, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Rabb, Ratray, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Wade, Ward, Watters, Williams, Winston, Woolf, White of Dallas, White of Geneva—46.

Nays—Messrs. Adams, Arrington, Bolton, Blevins, Bradley, Clark, Clements, Dark, Dupree, Files, Hampton, Higgins, Kemp, King, Kyle, Lee, Long, Mancill, Maley, Moseley, McElderry, McLendon, Nelson, Paine, Patton, Pratt, Russell, Smaw, Smisson, Walker, Watson, Webb—32.

On motion of Mr. Cochrane, the bill was ordered forthwith to the senate without engrossment.

Mr. Miller moved to reconsider the vote by which

H. B. 922. To pay mileage to the officers of the general assembly of Alabama,

Was lost on yesterday.

Carried.

The vote by which the bill was ordered to a third reading was reconsidered.

Mr. Miller moved to amend the bill by striking out the words "journal clerk of the house" wherever it occurs in the bill.

Carried.

The bill was read the third time at length and lost—yeas 33, nays 40.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bush, Cornelius, Davie, Fitzpatrick, George, Hardy, Hogue, Hundley, Knight, Ledyard, Lee, Miller, McLendon, McLeod, Nisbet, Parker, Pettus, Porter, Posey, Rabb, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Watson, Woolf, White of Dallas—33.

Nays—Messrs. Adams, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark,

Dupree, Files, Hampton, Higgins, Kemp, Kyle, Long, Mancill, Maley, Meador, McElvey, McRee, Nelson, NeSmith, Paine, Patton, Pitts, Powell, Pratt, Rattray, Russell, Walker, Ward, Watters, Weaver, Webb, Winston, White of Geneva—40.

# BILLS ON THIRD READING.

By leave, Mr. Lay called up

s. 300. To provide for the compensation of expert accountants employed by the joint committee of the general assembly to examine the offices of auditor and treasurer.

The bill was read the third time at length and passed—yeas 53, nays 12.

Yeas—Messrs. Speaker, Adams, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Brown, Cornelius, Cunningham, Dark, Davie, Fitzpatrick, George, Hardy, Higgins, Hogue, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Meador, Miller, Moseley, McLendon, McLeod, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Smaw, Smisson, Stansel, Stone, Stowers, Watson, Weaver, Woolf, White of Dallas, White of Geneva—53.

Nays—Messrs. Arrington, Clark, Dykes, Files, Kemp, Long, Longshore, McElderry, Nelson, Summers, Walker, Winston—12.

By leave, Mr. White of Dallas, called up

H. B. 417. To provide for the publication of the acts of the present session of the general assembly.

The amendment of the committee to substitute \$500 for \$600, was, on motion of Mr. White of Dallas, laid upon the table.

The bill was read the third time at length and passed—yeas 52, nays 3.

Yeas—Messrs. Barnett, Benners, Bevis, Billingslea, Bush, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, George, Hardy, Hogue, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Miller, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Pettus, Porter, Posey, Pratt, Rabb, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Ward, Watson, Weaver, Webb, Woolf, White of Dallas, White of Geneva—52.

Nays—Messrs. Adams, Files, Winston—3.

The bill just passed was ordered forthwith to the senate without engrossment.

By leave, Mr. Dark, called up—

H. B. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome & Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Barnett, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Higgins, Hogue, Kemp, Knight, Kyle, Ledyard, Lee, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Pettus, Porter, Posey, Powell, Pratt, Russell, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Winston, White of Geneva—56.

By leave, Mr. Ledyard, called up—

H. B. 755. To preserve the records of the court of chancery.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Adams, Arrington, Barnett, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, Hampton, Hardy, Hogue, Johnson, Knight, Kyle, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Geneva—62.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTION.

By Mr. Watson—

H. J. R. 8. Relating to the annexation of West Florida to the State of Alabama.

By Mr. Cunningham—

H. B. 997. To confirm the incorporation and organization of the Florence Investment Company, under the proceedings heretofore had in the probate court of the county of Lawrence.

By Mr. Porter—

H. B. 998. To require the clerk of the circuit court of Jefferson county, in this State, to index the several record books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

By Mr. Smaw—

H. B. 999. For the preservation of game animals and birds in the county of Greene.

Also, (by request)—

H. B. 1000. To prevent any person going 'on, or trespassing upon certain lands in Greene county.

By Mr. Carter—

H. B. 1001. To amend section 8 of an act to constitute the corporate limits of the city of Troy, in Pike county, a separate school district, by the name of the School District of the city of Troy, approved February 26, 1887.

By Mr. Parker—

H. B. 1002. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

By Mr. Porter—

H. B. 1003. To incorporate the town of Warrior.

By Mr. McLeod—

H. B. 1004. To regulate the fees of the sheriff of Clark county.

The foregoing bills were severally read one time and referred to appropriate committees, as follows :

H. J. R. 8, H. B's 998, 1004, to judiciary.

H. B. 997, to revision of laws.

H. B's 999, 1000, to local legislation.

H. B. 1001, to education.

H. B. 1002, to public health.

H. B. 1003, to corporations.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Stansel, from committee on revision of laws, reported favorably to the following bills:

s. 196. To amend section 3070 of the Code.

s. 379. To repeal an act entitled an act to repeal an act entitled an act to require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective



counties, approved August 12, 1868, and to repeal sections 117 and 118 of an act entitled an act to establish revenue laws for the State of Alabama, approved December 31, 1868, so far as the same applies to the county of Perry.

Also,

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa, and Pickens, approved December 28th, 1887.

H. B. 468. To provide for the better policing of Frascati Park in the city of Mobile and its environs, and for the better protection of visitors thereto.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bill,

s. 141. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

Also, with a substitute for—

H. B. 850. To amend section 979 of the Code.

Mr. Lowe, from committee on corporations, reported favorably to the following bill:

H. B. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company;

With amendment.

H. B. 991. To incorporate the Male and Female Academy, located in the town of Leighton, Lawrence county, Alabama.

s. 347. To amend the charter of the city of Birmingham, so as to enlarge the limits of said city, and so as to create a new ward in said city.

Mr. Watson, from local legislation, reported the following bills favorably:

H. B. 839. To regulate the waiving the causes arising in the county court of Covington county.

H. B. 971. To amend section 3 of an act for the protection of plantations, and crops within certain limits in Lauderdale county, Alabama, approved December 14, 1869.

Mr. Pitts, from the judiciary committee, reported favorably to—

s. 421. For the relief of the heirs of Daisey Hardy, deceased.

Mr. Pitts, from the committee on privileges and elections, reported favorably to the bill,

H. B. 981. To preserve and keep the peace at the polls on election days.

Mr. Lowe, from the committee on corporations, reported favorably to the bill,

H. B. 881. To incorporate the Tennessee River and Birmingham Rail Road Company; to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably to the bill,

H. B. 934. To incorporate the Southern Iron Company.

The above and foregoing bills, reported from committees, were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed the following bills :

H. B. 642. To provide for funding and paying the legal debts of Selma, created prior to December 6, 1875, approved December 7, 1888.

H. B. 586. To amend section 4870 of the Code of 1886, so far as the same relates to Limestone county, Alabama.

H. B. 367. For the relief of William P. Hickman, late county treasurer of Jefferson county.

H. B. 677. To provide for the term of office of the tax collector of Lee county.

H. B. 764. To re-enact sections 3286, 3287 and 3288 of the Code of 1876, as to the county of Lamar.

H. B. 624. To amend sections one and two of an act entitled an act to incorporate the South Western Railroad Company, approved January 21, 1860.

H. B. 679. To change the name of the town of Brownville, in Lee county.

H. B. 746. To amend the charter of the People's Savings Bank, a corporation organized in the county of Jefferson.

H. B. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

H. B. 553. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within the Fairfield precinct, Pickens county, Alabama.

H. B. 709. To incorporate the Alabama and Texas Railway Company.

H. B. 690. To regulate the fine and forfeiture fund of Madison county.

H. B. 645. To declare J. T. Caine, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

H. B. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12, 1888.

H. B. 646. To declare F. M. Dansby, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

H. B. 591. For the protection of land and property against the depredations of live stock in portions of precincts No's. 1, 2, 3, 4, 5 and 6, in Autauga county.

H. B. 542. To amend section 2 of an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

H. B. 3. To repeal an act entitled an act to charter a ferry across Coosa river at or near Cedar Bluff, in Cherokee county, approved February 18, 1867.

H. B. 627. To regulate the assessment of property, after the completion of his sittings by the tax assessor of Barbour county.

H. B. 598. To form a separate school district in Talladega county, to be known as Chinnabee school district.

H. B. 176. To authorize judges of probate to pay over to minors certain funds and take their receipt for the same.

H. B. 438. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate courts of the State.

H. B. 447. To prescribe the mode and time of advertising property for sale, levied on under executions issued on the judgment of justices and notaries public with powers of justices, and under attachments issued by such officers and to fix the place of sale.

H. B. 319. To amend section 215 of the Code.

H. B. 37. To amend section 2732 of the Code of 1886.

H. B. 487. To define and regulate the jurisdiction of justices of the peace and notaries public who are ex-officio justices of the peace in precincts 21 and 37, and in the wards of the city of Birmingham, Jefferson county, Alabama, and to regulate their fees.

H. B. 578. To authorize the court of county commissioners

of Tuscaloosa county to purchase claims against the fine and forfeiture fund of said county.

And has amended as therein shown, and as amended, has passed

H. B. 381. To regulate the taking up and impounding of stock owned by parties residing in non-stock districts of Pike county that may be taken up in stock districts of Pike and adjoining counties.

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount.

H. B. 200. To amend sections 1, 2 and 11 of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

H. B. 547. To regulate the fine and forfeiture fund of Elmore county, Alabama.

H. B. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile and Navy Cove Harbor Railway Company, approved February 28, 1887.

And has originated and passed the following bills :

s. 311. To provide for destroying abandoned, diseased or injured animals.

s. 312. To prevent the abandonment of maimed, diseased or disabled or infirm animals by their owners or custodians.

s. 329. To amend section 2772 of the Code.

s. 247. To fix the times of holding the circuit courts in the several counties composing the seventh judicial circuit.

s. 323. To amend section 1251 (1495) and section 1252 (1496) of the Code.

s. 280. To amend section 984 of the Code.

s. 277. To amend sections 1, 3, 5 and 9 of an act to amend an act to organize and regulate a system of public school instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto approved February 28, 1887.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 311, 312, to revision of laws.

s. 329, 247, 323, to judiciary.

s. 277, 280, to education.

On motion, the house concurred in the senate amendment to

H. B. 547. To regulate the fine and forfeiture fund of Elmore county, Alabama.

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Kyle, Ledyard, Lee, Lewis, Lowe, Maley, Meador, Miller, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Summers, Smaw, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—61.

On motion, the house concurred in the senate amendment to—

H. B. 381. To regulate the taking up and impounding of stock owned by parties residing in non-stock districts of Pike county, that may be taken up in stock districts of Pike and adjoining counties.

Yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Billingslea, Blevins, Bradley, Brown, Dark, Davie, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Knight, Lay, Ledyard, Lee, Lewis, Lowe, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Williams, Woolf, White of Dallas, White of Geneva—59.

On motion, the house concurred in the senate amendments to—

H. B. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile and Navy Cove Harbor Railway company, approved February 28, 1887.

Yeas 68, nays 0.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Cunningham, Curtis, Darby, Davie, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Sum-

mers, Smaw, Stansel, Stone, Stowers, Tatum, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—68.

On motion of Mr. Lay the house non-concurred in, and requested conference committee on the senate amendments to the following bills :

H. B. 200. To amend sections 1, 2, and 11 of an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama,

Committee on the part of the house,  
Messrs. Lay and Davie.

Also,

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

Committee on the part of the house,  
Messrs. Johnson, Cornelius, Watters.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Mancill—

H. B. 318. To incorporate the Covington and Escambia Alliance Navigation and Transportation company.

The bill was read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Knight, Ledyard, Lee, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Ward, Watson, Williams, Winston, Woolf, White of Geneva—64.

By Mr. Brown—

s. 400. To amend an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters or mixtures within five miles of Good Water Academy, Coosa county, and in the county of Butler, except in beat number 12 of said county.



Mr. Brown offered the following amendment, which was adopted:

After second proviso add, "And provided further, that nothing in this act contained shall operate to repeal an act approved March 1, 1881, entitled 'an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale, and Chilton, but the same is hereby re-enacted as to Coosa county.'"

The bill was read the third time at length and passed—yeas 49, nays 18.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Brown, Clark, Cochrane, Cunningham, Darby, Dark, Davie, Dykes, Files, Fitzpatrick, George, Hampton, Hogue, Hundley, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Miller, Moseley, McRee, NeSmith, Paine, Parker, Pettus, Pitts, Porter, Powell, Pratt, Rattray, Russell, Sowell, Smisson, Stansel, Stone, Winston, White of Dallas—49.

Nays—Messrs. Adams, Blevins, Dupree, Lee, Maley, Meador, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Posey, Simmons, Stowers, Weaver, Webb, Williams—18.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate recedes from its amendment to—

H. B. 200. To amend sections 1, 2, and 11, of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

And insists upon its amendments to the bill,

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

And accedes to the request of the house for a conference committee thereon.

Committee on the part of the senate, Messrs. Skeggs, Stallworth and Haralson.

W. L. CLAY,  
Secretary.

The house resumed consideration of—

## BILLS ON THIRD READING.

And bills were called up as follows :

By Mr. Johnson—

H. B. 915. To create a new county from portions of Blount, Jefferson, Cullman and Walker counties, to be known as Warrior.

Mr. Meador moved to amend the bill by substituting the word "Yancey" for "Warrior."

Mr. Cunningham moved to amend the amendment by substituting "Houston" for "Yancey."

Lost.

Mr. Knight moved to amend the amendment by substituting the word "Fitzpatrick" for "Yancey."

Mr. Adamas moved to table Mr. Knight's amendment.

Lost.

Mr. Knight's amendment was adopted.

Pending consideration, the hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m. to-day.

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 AFTERNOON SESSION.

The house reassembled at 3 p. m.

A quorum was present.

PROTEST.

Whereas, the operations of senate bill 400, will be to open saloons and license men to sell intoxicating liquors at Goodwater, Coosa county, Alabama; to excite men to riot, robbery, and blood-shed; to deprive them of life, reason, property and peace; to destroy their health in this world and their souls in eternity; to drive them to asylums, poor-houses, prisons and to the gallows; to destroy schools, churches, and corrupt morality; to make fiends of fathers, husbands, sons and brothers; to make wives widows, children orphans, and break the hearts of all the good and true; we, therefore, in the interest of the people we represent, in the interest of the churches, schools, and pleading women of Goodwater, Alabama; in the interest of all that is good and true, we do most solemnly protest against the passage of said bill.

I. A. J. NELSON,  
J. N. DUPREE,  
S. M. ADAMS.

## UNFINISHED BUSINESS.

The house resumed consideration of H. B. 915.

The bill was read the third time at length and passed—yeas 53, nays 24.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Bush, Brown, Carter, Cunningham, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Johnson, Knight, Ledyard, Lowe, Maddox, Miller, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Pratt, Russell, Sowell, Smaw, Smith, Stowers, Tatum, Wade, Walker, Ward, Watson, Weaver, Williams, Winston, Woolf—53.

Nays—Messrs. Bolton, Bradley, Clark, Clements, Cornelius, Dupree, Dykes, Files, Higgins, Kemp, King, Lee, Lewis, Long, Maley, NeSmith, Posey, Powell, Simmons, Summers, Stansel, Stone, Watters, White of Dallas—24.

Mr. Johnson moved to reconsider the vote by which the bill passed, and to table that motion.

The latter motion prevailed.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Smaw—

H. B. 909. To amend section 3874 of the Code.

On motion of Mr. Rabb, the bill was laid on the table.

By Mr. Patton—

H. B. 781. For the relief of the tax collector of Mobile county.

The amendment offered by the committee was adopted.

The bill was read the third time at length and lost.

Yeas 24, nays 31.

Yeas—Messrs. Anderson, Benners, Bogart, Clements, Darby, Hardy, Hogue, Knight, Lay, Ledyard, Lewis, Meador, Moseley, Patton, Porter, Posey, Smisson, Stansel, Stone, Stowers, Ward, Watson, Woolf, White of Geneva—24.

Nays—Messrs. Speaker, Billingslea, Bolton, Dark, Davie, Dupree, Dykes, Hundley, Kemp, Kyle, Lee, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Pettus, Powell, Simmons, Smith, Wade, Weaver, Williams, White of Dallas—31.

By Mr. White (of Geneva)—

H. E. 286. To repeal an act entitled an act to regulate the pay and mileage of jurors and commissioners of Geneva county, and to provide for payment of the same, approved January 27, 1872.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cunningham, Darby, Dark, Davie, Dykes, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Long, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, Nisbet, Pettus, Porter, Posey, Powell, Rabb, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Waters, Weaver, Williams, Woolf, White of Dallas, White of Geneva—60.

Also, by leave—

H. B. 389. To repeal section 13 of an act entitled an act to incorporate the town of Eunola, in Geneva county, Alabama, approved February 17, 1885

The bill was read the third time at length and passed.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Arrington, Benners, Bogart, Bolton, Bush, Bradley, Brown, Clements, Cochrane, Darby, Dark, Davie, Dykes, Hampton, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Maddox, Maley, Meador, Miller, Moseley, McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Watson, Watters, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

By Mr. Knight—

H. B. 559. To amend section 11 of an act entitled an act to better enforce the working of public roads in the counties of Montgomery and Hale, approved February 23, 1883, as amended by an act entitled an act to amend an act to better enforce the working of the public roads in the counties of Montgomery and Hale, approved February 23, 1883, so far as the same relates to Hale county, approved February 12, 1885, so far as the same relates to Hale county.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Higgins,

Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Pratt, Rabb, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Wade, Ward, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Benners—

H. B. 119. To make appropriations for the payment of railroad commissioners and their clerks, and for other expenses of the railroad commission.

The bill was read the third time at length and passed—yeas 56, nays 2.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark, Davie, Dupree, Hampton, Hardy, Higgins, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Longshore, Lowe, Maddox, McElderry, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smith, Stansel, Stone, Stowers, Wade, Ward, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

Nays—Messrs. Dykes, and Hogue—2.

By Mr. Ward—

H. B. 741. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four (4) miles of Tolbert Baptist Church in beat sixteen (16), in all directions, in Henry county.

Mr. Ward offered the following amendment: Strike out the words "the passage of this act" and insert "January 1, 1890," in section 1.

Adopted.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bourdeaux, Bush, Bradley, Clark, Cunningham, Darby, Dark, Dupree, Hampton, Hardy, Hogue, Kemp, Kyle, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Pettus, Porter, Posey, Pratt, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Ward, Watters, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

By Mr. Bogart—

H. B. 787. To amend an act entitled an act to incorporate

the town of Scottsboro, in the county of Jackson, approved January 20, 1870, and the act amendatory thereto, approved February 5, 1877, entitled an act to amend section thirteen of an act approved January 20, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed; yeas 73, nays 0.

Yeas—Messrs. Speaker, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clark, Clements, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lowe, Mancill, Maley, Meador, Miller, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—73.

Also,

H. B. 587. For the relief of W. S. Page, of the county of Jackson.

The bill was read the third time at length and passed; yeas 61, nays 7.

Yeas—Messrs. Speaker, Arrington, Barnett, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Clark, Clements, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Hampton, Higgins, Hogue, Hundley, Johnson, Knight, Ledyard, Longshore, Lowe, Maddox, Mancill, Meador, Moseley, McElderry, McLendon, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Pratt, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Waters, Weaver, Williams, Winston, Woolf, White of Dallas—61.

Nays—Messrs. Benners, Kemp, Lay, Lewis, Nelson, Pettus, White of Geneva—7.

By Mr. Lowe—

H. B. 386. To amend section 3947 of the Code.

Mr. Lowe moved to strike out the words, "so far as the same relates to Jefferson county."

Lost.



The bill was read the third time at length and passed; yeas 63, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Hundley, Johnson, Knight, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Pettus, Pitts, Pratt, Rattray, Russell, Sowell, Summers, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Woolf, White of Dallas—63.

By Mr. Porter—

H. B. 328. To amend section one of an act to authorize a subscription by the State to an Index Digest of Alabama Reports, approved February 28, 1887.

The bill was read the third time at length and lost—yeas 27, nays 44.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Benners, Bevis, Fitzpatrick, George, Hundley, Johnson, Knight, Ledyard, Lewis, Lowe, Maddox, McLendon, Pettus, Porter, Sowell, Smith, Stansel, Stone, Stowers, Wade, Woolf, White of Dallas, White of Geneva—27.

Nays—Messrs. Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Clark, Clements, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Files, Hampton, Higgins, Hogue, Kyle, Lay, Lee, Longshore, Mancill, Maley, Meador, McElderry, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Posey, Pratt, Rabb, Rattray, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston—44.

By Mr. Cunningham—

H. B. 674. To confirm the incorporation of the Florence Railroad and Improvement company, and to define and to declare the powers of the said company.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Anderson, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Clark, Cochrane, Cunningham, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Johnson, Knight, Kyle, Ledyard, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Powell, Pratt, Rattray, Summers, Smaw, Smith, Stan-

sel, Stone, Stowers, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—57.

By Mr. Cunningham—

H. B. 676. For the relief of the firm of Dewberry and J. C. Bevis.

The bill was read the third time at length and passed—yeas 62, nays 4.

Yeas—Messrs. Speaker, Anderson, Barnett, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Clark, Clements, Cochran, Cunningham, Darby, Dark, Davie, Dykes, Files, George, Hampton, Hundley, Johnson, Knight, Kyle, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Meador, McElderry, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Pettus, Porter, Powell, Pratt, Rabb, Ratray, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

Nays—Messrs. Adams, Cornelius, Dupree, Nelson—4.

By Mr. NeSmith—

H. B. 782. To amend an act entitled an act to incorporate the town of Town Creek, in Lawrence county, Alabama, approved March 8, 1875.

The bill was read the third time at length and passed—yeas 58, nays 2.

Yeas—Messrs. Speaker, Anderson, Arrington, Barnett, Bogart, Bolton, Bourdeaux, Brown, Clark, Cochran, Cornelius, Cunningham, Dark, Dupree, Dykes, Files, Fitzpatrick, Hampton, Higgins, Hundley, Knight, Kyle, Lee, Longshore, Maley, Moseley, McElderry, McElvey, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Ratray, Sowell, Summers, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—58.

Nays—Messrs. Johnson, Lay—2.

Also,

s. 206. To authorize the Decatur Land Improvement and Furnace Company to retire and cancel certain stock herein named.

The bill was read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Benners, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Clark, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hogue, Hundley,

Johnson, Knight, Kyle, Lay, Ledyard, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

By Mr. Kyle—

H. B. 194. To incorporate the Southern Guaranty company.

The bill was read the third time at length and passed—yeas 35, nays 21.

Yeas—Messrs. Anderson, Barnett, Benners, Bevis, Cochran, Cunningham, Files, George, Hampton, Hundley, Johnson, Knight, Ledyard, Long, Lowe, Maddox, Miller, Moseley, McElderry, McRee, Nisbet, Paine, Pettus, Pitts, Porter, Pratt, Sowell, Smaw, Stansel, Stone, Walker, Webb, Williams, Winston, White of Dallas—35.

Nays—Messrs. Speaker, Adams, Darby, Dark, Dupree, Dykes, Higgins, Kyle, Lay, Lewis, Longshore, Maley, McElvey, McLendon, McLeod, Nelson, Rabb, Rattray, Watson, Weaver, White of Geneva—21.

#### CONFERENCE REPORT.

Mr. Lay, from a conference committee, submitted the following report :

*Mr. Speaker:*

Your committee of conference on the disagreement of the two houses on the bill, s. 44, a bill to be entitled an act to amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin, have had the same under consideration and beg leave to report as follows :

Your committee do not think that the amendment of the senate was properly made, as the senate not only non-concurred in the house amendment, but amended the senate b 1.

Your committee recommend that the senate concur in the house amendment.

DANIEL WILLIAMS,  
N. STALLWORTH,  
JNO. T. MILLNER,  
Committee on part of senate.  
FRANCIS L. PETTUS,  
D. H. LAY,  
H. A. TATUM,  
Committee on part of house.

The report was concurred in.

Yeas 53, nays 1.

Yeas—Messrs. Adams, Arrington, Bevis, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Hogue, Kemp, Knight, Lay, Ledyard, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Porter, Posey, Powell, Russell, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Ward, Weaver, Williams, Winston, White of Geneva—53.

Nay—Mr. Pettus—1.

MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 13, 1889.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house :

House bills one hundred and sixty-one (161), two hundred and twenty-six (226), three hundred and forty-one (341), six hundred and thirty (630).

THOS. H. CLARK,  
Recording Secretary.

Mr. Kyle gave notice that on to-morrow he would move to reconsider the vote by which

H. B. 781 was lost.

At 7 p. m. the house, on motion of Mr. McLeod, adjourned until 9:30 a. m. to-morrow.

## FORTIETH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, February 14, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochran, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Waters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—95.

## LEAVE OF ABSENCE

Was granted to Mr. Hardy till Monday, and to Messrs. Bourdeaux and Billingslea indefinitely on account of sickness.

## RECONSIDERATION.

On motion of Mr. Kyle, the vote by which  
H. B. 781. For the relief of the tax collector of Mobile county,

Was lost, was reconsidered and the bill was passed.

Yeas 45, nays 17.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Bush, Brown, Clements, Cochran, Cornelius, Cunningham, Denson, Dykes, Fitzpatrick, Higgins, Hogue, Kyle, Lay, Ledyard, Lee, Lewis, Long, Maddox, Mancill, Maley, Meador, McElvey, McLendon, McLeod, Patton, Porter, Posey, Pratt, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Ward, Williams, Winston, Woolf, White of Geneva—45.

Nays—Messrs. Dark, Dupree, George, Hampton, Hund-

ley, Nelson, NeSmith, Nisbet, Parker, Rattray, Russell, Simmons, Summers, Smith, Walker, Weaver, Webb, White of Dallas—17.

The bill was ordered to the senate forthwith.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate, having signed the following bills, your signature thereto is requested:

s. 266. To authorize the widow of James W. Bullock, deceased, to administer his estate in Mobile county upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

s. 245. To authorize and empower the court of county commissioners of Tallapoosa county to borrow money to complete the settlement of the bonded indebtedness of said county.

s. 287. To provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same.

s. 300. To provide for the compensation of expert accountants employed by the joint committee of the general assembly to examine the offices of auditor and treasurer.

s. 100. To amend section 1319 of the Code, so far as the same relates to the town of Louisville, in Barbour county.

s. 231. For the relief of Samuel J. Bolling and Warren R. Thagard, as the sureties on the official bond of Jonathan L. Powell as judge of probate for Butler county, Alabama.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bills whose titles are set out in the foregoing senate message.

#### INTRODUCTION OF BILLS.

Bills were introduced

By Mr. Paine—

H. B. 1005. To incorporate the Tuskegee, Tallassee and



Sylacauga Railroad Company, and to further the construction of said railroad.

By Mr. Bevis—

H. B. 1006. To confirm the incorporation and organization of the Florence Building and Investment Association, and to give said company additional powers.

By Mr. Wade—

H. B. 1007. To amend sections 2, 3, 5, 7 and 20 of an act entitled an act to establish a new charter for the city of Gadsden, approved January 27, 1883.

By Mr. Sowell—

H. B. 1008. To prohibit the sale or giving away of liquors in four miles of Hebron church and Academy, in Limestone county.

Also,

H. B. 1009. To prohibit the sale or giving away of spirituous, vinous or malt liquors within four miles of Harmony Grove church and academy, in Limestone county.

By Mr. Dark—

H. B. 1010. To regulate the disbursing of the fine and forfeiture fund of Tallapoosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

The foregoing bills were severally read one time and referred to appropriate committees as follows:

House bills 1007, 1005, to revision of laws.

House bill 1006, to corporations.

House bill 1010, to local legislation.

House bills 1008, 1009, to temperance.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from judiciary committee, reported favorably the following bills:

H. B. 986. To provide for an additional watchman at the capitol, with amendment.

H. B. 1004. To regulate the fees of the sheriff of Clarke county.

s. 204. To amend the charter of the Mobile Street Railway Company, and to ratify the organization, and to confirm the franchises granted to, and the obligations entered into by, and the contracts made with said company.

s. 258. To amend section 2105 of the Code.

H. B. 972. To require the probate judge of Hale county to

make indexes, direct and cross, to all deeds, and other conveyances recorded in his office, setting out name of each grantor and grantee, and providing his compensation for same.

H. B. 978. To fix the compensation of the judges of the city court of Birmingham, with amendment to.

s. 208. To amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, as amended by an act entitled an act to amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 23, 1883; and to amend section 84 of an act entitled an act to amend an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 7, 1885; and to amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, by the addition of sections 88, 89, 90, 91 and 92, in reference to the erection of a city building or buildings within said city, and by the addition of sections 93, 94, 95 and 96 in reference to the completion of existing, and the erection of additional school buildings within said city; and by the addition of sections 97, 98 and 99 in reference to the building, and construction of a system of sewerage in the said city.

s. 294. To amend section 3675 of the Code of 1886.

s. 249. To authorize the judge of the circuit court to fix by an order entered on the minutes of the court, the time when the criminal docket shall be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

H. B. 996. To amend section 3 of an act entitled an act to revise and amend the act incorporating the Selma Fire Company, approved February 9, 1860, with amendment.

s. 305. To permit small balances due employees for wages or services, to be disposed of for the benefit of their widows and orphans without administration.

s. 336. To amend section 677 of the Code of Alabama, with amendment.

s. 209. To amend the act to incorporate the city of Tuscaloosa, approved March 12, 1873, by amending section 1 of said act, so as to extend the boundary lines of said city.

H. J. R. 7. Authorizing the governor to have bound the reports of the various State officers for certain purposes.

s. 368. To allow the hunting and killing of deer in certain portions of Perry county.

Mr. Stansel, from the committee on revision of laws, reported favorably to the bills,

H. B. 979. For the relief of R. G. Allen, as administrator of W. G. Allen, deceased, late sheriff of Clarke county.

H. B. 975. For the relief of Virginia E. Carter, as administratrix of Daniel Carter, deceased, late sheriff of Clarke county.

H. B. 997. To confirm the incorporation and organization of the Florence Investment Company, under the proceedings heretofore had in the probate court of the county of Lawrence.

s. 2. In relation to the sale of cotton and other produce by factors, commission merchants, warehouse men or other persons who sell the same.

H. B. 855. To authorize and require the superintendent of education of the State of Alabama to draw a warrant on the State treasurer for the sum of one thousand seven hundred and forty-nine and 50-100 dollars, with interest on said amount at the rate of 6 per cent. per annum, from the first day of March, 1859, to the first day of January, 1889, and place the same to the credit of the school fund in section 16, township 20 of range 2 east, in Shelby county.

s. 289. To amend section 2972 of the Code.

s. 166. To amend section 4045 of the Code of Alabama.

s. 79. To require the sale of personal property on condition to be written and recorded.

The succeeding four bills were, on motion, taken from the adverse calendar and read a second time.

H. B. 683. To repeal an act approved February 28, 1887, to prohibit the sale, giving, or disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, outside of the corporate limits and police jurisdiction of the city of Montgomery, except as to store houses in beat twelve (12) in Montgomery county, known as Downing's store, this exception not to continue longer than 31st December, 1887, or within two miles of Hopewell Baptist Church, in Covington county, and other places mentioned in said bill, including beat three (3), known as Society Hill beat, Macon county, and Tuskegee beat, in Macon county, so far as the same relates to the town of Tuskegee, and to authorize the town council of said town to grant license for the sale of spirituous, vinous or malt liquors within the corporate limits of said town.

H. B. 597. For the relief of John B. Strozier, late sheriff of Chambers county.

s. 392. To fix the time and place for holding the spring term of the circuit court of Perry county.

H. B. 825. For the relief of George B. Fellows, as the administrator of the estate of H. D. Fellows, deceased.

Mr. Nisbet, from the committee on agriculture, reported favorably, with substitute, to the bill,

H. B. 38. To establish a branch agricultural experimental station, and branch agricultural school in North Alabama.

Mr. Hundley, from the committee on commerce and common carriers, reported favorably, with amendment, to the bill,

H. B. 740. To prevent collisions on roads, streets and other passage ways.

Mr. Lowe, from committee on corporations, reported favorably to the bills,

s. 253. To amend and ratify the charter of the Birmingham Safe & Lock Company, incorporated in Jefferson county, Alabama, under the general statutes of said State, and to extend and enlarge the powers of said company.

s. 388. To ratify and confirm the incorporation and organization of the North Alabama Furnace, Foundry and Land company, and to amend and enlarge its corporate powers.

s. 427. To confirm the incorporation and organization of the Lauderdale Manufacturing company, and to define and declare the powers of said company.

With a substitute for

s. 190. To incorporate the Alabama Fuel, Light & Power Manufacturing & Supply Company.

s. 426. To confirm the incorporation and organization of the Florence Cotton and Iron company, and to define and declare the powers of said company.

s. 389. To incorporate the Florence Educational, Land and Development company.

s. 369. To authorize the mayor and council of the town of Decatur to negotiate a loan for the purpose of constructing sewers and making other permanent public improvements in said town, and to issue bonds for the payment of said loan.

s. 204. To amend the charter of the Mobile Railway Company, and to ratify the organization and to confirm the franchises granted to, and the obligations entered into by, and the contracts made with said company.

H. B. 976. To require the custodian of the books of any corporation to furnish any officer, having in his hands any process for the collection of debts, with a statement of the

number of shares and amount of interest therein held by the defendant in such corporation.

s. 373. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

Mr. Lee, from the committee on temperance, reported favorably to the bills,

H. B. 804. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within two miles of Pleasant Valley Baptist church, Centre Star beat, Lauderdale county.

H. B. 841. To prohibit the sale of alcoholic, vinous, or spirituous liquors within three miles of Gurley's Union church and Gurley's Normal Academy of Gurley, Madison county, Alabama.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 990. To constitute a separate school district, to be known as the Salem School District, in the county of Lee and State of Alabama, and for the appointment of a board of trustees therefor.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 314. To provide for the humane killing of animals so maimed or crippled by railroad locomotives or cars, as to be unable to procure food or drink for themselves.

s. 313. To regulate the disposition of fines arising from prosecutions under the laws of this State for cruelty to children and animals.

s. 414. To authorize the sale of an alley in the town of Belgreen.

s. 315. To create a lien in favor of hotel, boarding-house and inn keepers in this State.

s. 328. To regulate the liability for and payment of costs accruing in the several courts of this State, when parties are indicted or proceeded against jointly.

s. 432. To amend section 38 of the charter of the city of Bessemer, Alabama.

s. 372. To amend section 18 of an act, approved February 23, 1887, entitled an act to incorporate the Wetumpka and Coosa River Canal and Manufacturing Company.

s. 411. To make the clerk of the circuit court of Escambia county ex officio clerk of the county court of said county.

s. 302. To determine and fix the amount of poll tax available each year for school purposes.

s. 394. To regulate the fine and forfeiture fund of Calhoun county.

s. 335. To provide for an exhibit of school work, at the State and National Educational Association, to be held during the summer of 1889.

s. 397. To incorporate the National Guaranty and Trust Company.

s. 417. To constitute the city of Sheffield a separate school district.

s. 306. To provide for the payment of certain costs incurred in the courts of justices and notaries in Marengo county.

s. 418. To authorize and empower the commissioners court of Shelby county to appropriate three thousand dollars per year for the years 1889 and 1890, out of the general fund in the county treasury to aid the free public schools of said county.

s. 393. To provide that the county commissioners of Calhoun county shall be entitled to the same mileage when they attend special terms of the court or meet as jury commissioners, as they are now paid when they meet in regular terms.

s. 416. To repeal an act to amend section eleven of an act to establish a separate school district, to be known as the Cullman School District, in Cullman county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 28, 1887, be and the same is hereby repealed.

s. 307. To provide for the study of State history in public schools.

W. L. CLAY,  
Secretary.



## SENATE MESSAGE.

The senate bills whose titles are set out in the foregoing senate message, were severally read one time and referred to appropriate committees as follows :

s. 306, 414, 328, 411, 313, to judiciary.

s. 302, 307, 418, 417, 416, to education.

s. 397, 432, 372, to corporations.

s. 394, 293, to local legislation.

s. 315, to revision of laws.

s. 314, to commerce and common carriers.

s. 325, to appropriations.

On motion of Mr. Bogart, H. B. 811 was recommitted to committee on local legislation.

On motion of Mr. Knight, H. B. 145 was made a special for Monday next, after reading the journal.

On motion of Mr. Pettus,

H. B. 901, 876, 872, 873, 874, 877, were made continual special orders for next Monday, after the journal, to take precedence over all other special orders.

## RECONSIDERATION.

Mr. Lowe moved to reconsider the vote by which—

H. B. 328. To amend section 1, of an act to authorize a subscription by the State to an Index Digest of the Alabama Reports, approved February 28, 1887, was lost.

Carried.

The bill passed—yeas 47, nays 23.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Brown, Cochrane, Cornelius, Cunningham, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Hundley, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Lowe, Miller, McElderry, McElvey, McLendon, McRee, Paine, Patton, Pettus, Pitts, Porter, Posey, Rabb, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Walker, Woolf, White of Geneva—47.

Nays—Messrs. Adams, Blevins, Clements, Darby, Dark, Dykes, Higgins, Hogue, Kemp, Lay, Maley, Moseley, Nelson, Nisbet, Parker, Powell, Simmons, Summers, Stowers, Ward, Winston—21.

## SPECIAL ORDER.

H. B. 49. To appropriate fifteen thousand dollars to aid

in the erection of a monument to the Alabama soldiers who fell in the late war between the states.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 51, nays 40.

Yeas—Messrs. Speaker, Anderson, Barnett, Bush, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Hogue, Hundley, King, Knight, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Miller, McLendon, McRee, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Pratt, Rattray, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Walker, Ward, Watters, Wiley, Williams, Woolf, White of Dallas, White of Geneva—51.

Nays—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clark, Cunningham, Dykes, Higgins, Johnson, Kemp, Kyle, Lewis, Long, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Paine, Posey, Powell, Rabb, Russell, Simmons, Sowell, Summers, Stowers, Wade, Watson, Weaver, Webb, Winston—40.

The hour of 1:30 p. m. having arrived the house stood adjourned till 3:30 p. m. to-day.

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#### AFTERNOON SESSION.

The house met pursuant to adjournment.  
A quorum was present.

#### BILLS ON THIRD READING.

On the call of the counties for the passage of bills, bills were called up as follows:

By Mr. McElvey—

s. 355. To prohibit stock from running at large in a part of beat 7, in Lee county, Alabama.

The bill was read the third time at length and passed—yeas 65, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Bogart, Bush, Bradley, Brown, Clark, Clements, Cochrane, Cunningham, Dark, Davie, Denson, Dupree, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, McElderry, McElvey, McLendon, McRee,

NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Waters, Webb, White of Geneva—65.

By Mr. Bradley—

H. B. 864. For the relief of S. F. Pennington, late sheriff of Lamar county.

The bill was read the third time at length and passed—yeas 46, nays 21.

Yeas—Messrs. Arrington, Barnett, Bogart, Bush, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Henderson, Ledyard, Lee, Lewis, Long, Maley, Miller, Moseley, McLendon, McRee, Patton, Porter, Posey, Powell, Rattray, Sowell, Summers, Smisson, Stansel, Stone, Webb, Wiley, Williams, Winston, White of Geneva—46.

Nays—Messrs. Speaker, Benners, George, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Mancill, Nisbet, Paine, Parker, Pettus, Pitts, Simmons, Smith, Stowers, Wade, White of Dallas—21.

By Mr. Pettus—

H. B. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Cochrane, Darby, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lowe, Maddox, Maley, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Russell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Ward, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. Maley—

s. 22. To amend an act entitled an act to release the Tennessee and Coosa Railroad Company from its indebtedness to the State of Alabama.

Mr. Benners offered the following amendment by way of a substitute, which was lost :

A bill to be entitled an act to authorize the governor of Ala-

bama to investigate the indebtedness of the Tennessee and Coosa railroad company to the State of Alabama, and to compromise and release the same.

Be it enacted by the general assembly of Alabama, that the governor of Alabama be and he is hereby authorized to investigate the indebtedness of the Tennessee and Coosa Railroad company, to the State of Alabama, arising from all loans or advances made by the State to said company from what are known as the two per cent. fund, or the 3 per cent. fund, and to compromise and settle the same with said company, and to release any and all mortgages and liens held by the State upon the property of said company, upon such terms, and for such consideration as to him may seem just and proper.

Mr. Winston offered the following amendment:

1. Amend by striking out the words "five years," where they occur in the bill, and put in lieu thereof the words "two years."

Lost.

2. Amend by adding to the bill the words, to-wit:

"Provided that if said Tennessee and Coosa Railroad is not completed within two years from the passage of this act, the governor is required to foreclose any mortgage the State may hold against said railroad."

Lost.

The bill was read the third time at length and passed—yeas 64, nays 9.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Bogart, Brown, Clark, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Files, Fitzpatrick, Hampton, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Mancill, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Powell, Pratt, Ratray, Russell, Summers, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watson, Waters, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—64.

Nays—Messrs. Benners, Bolton, Blevins, Henderson, Higgins, Johnson, Maddox, Posey, Rabb—9.

By Mr. Sowell—

H. B. 792. To create the town of New Decatur a separate school district, to incorporate the same, and define its powers and duties.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McLeod, McRee, NeSmith, Paine, Pitts, Porter, Posey, Powell, Russell, Simmons, Sowell, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Webb, Wiley, White of Dallas, White of Geneva—55.

By Mr. Russell—

s. 333. To change the mode of paying the judge of probate in the county of Lowndes.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Blevins, Bradley, Brown, Cochrane, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lewis, Long, Longshore, Maddox, Maley, Miller, McElvey, McLendon, McLeod, McRee, NeSmith, Patton, Pitts, Porter, Russell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Watters, Webb, Wiley, Williams, Winston, White of Dallas—52.

By Mr. McRee—

s. 334. To dispose of the fees, commissions and allowances, or salary allowed by law to the judge of probate in the county of Lowndes.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Benners, Bevis, Bolton, Bourdeaux, Bradley, Brown, Clark, Cochrane, Cunningham, Darby, Dark, Dupree, Files, Fitzpatrick, Hampton, Henderson, Houge, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Moseley, McElvey, McLendon, McRee, NeSmith, Paine, Pettus, Pitts Porter, Posey, Powell, Russell, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—61.

By Mr. Paine—

H. B. 682. To relieve Jesse H. Thompson, of Marion county, Alabama, of the disabilities of non-age.

The bill was read the third time at length and passed.

Yeas 56, nays 2.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Barnett, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Files, Fitzpatrick, George, Hampton, Higgins, Hogue, Hundley, Johnson, Kemp, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Mosely, McElvey, McLendon, Nelson, NeSmith, Paine, Pitts, Posey, Powell, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Williams, Winston, Woolf—56.

Nays—Messrs. Pettus and White of Dallas—2.

By Mr. Hundley—

H. B. 934. To incorporate the Southern Iron Company.

The amendments offered by the committee were adopted.

Mr. Hundley offered the following amendment :

Insert in second line of section 11 between the words "stock" and "in" the following, "in addition to the capital stock herein authorized, not to exceed five million dollars."

The bill was read the third time at length and lost—yeas 23, nays 38.

Yeas—Messrs. Anderson, Barnett, Cornelius, Cunningham, Fitzpatrick, Hampton, Lay, Ledyard, Moseley, McLendon, Paine, Pitts, Porter, Smisson, Stansel, Stone, Stowers, Walker, Wiley, Williams, Woolf, White of Dallas, White of Geneva—23.

Nays—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Dark, Denson, Dupree, Dykes, Files, Hogue, Hundley, Johnson, Lewis, Long, Longshore, Lowe, Maddox, Maley, Nelson, NeSmith, Paine, Pettus, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Ward, Webb—38.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 14, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills two hundred and sixty (260), three hundred and eighty (380), five hundred and sixty-seven (567), six hundred and fifty-three (653), four hundred and twenty-eight (428), one hundred and fifty-five (155), two hundred and sixty (260).

THOS. H. CLARK,  
Recording Secretary.



On motion of Mr. Lay, house bills 27, 747, 860 and 942 were made special orders for to-morrow after reading of the journal.

Mr. Pettus, from judiciary committee, returned s. 217, and asked that it be referred to the committee on ways and means.

It was so ordered.

Mr. Hundley gave notice that on to-morrow he would move to reconsider the vote by which H. B. 934 was lost to-day.

At 7:10 p. m., on motion of Mr. Pettus, the house adjourned till 9:30 a. m. to-morrow.

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## FORTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,

Friday, February 15, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—92.

## LEAVE OF ABSENCE

Was granted to Messrs. Watson, Meador and Rattray for one day.

## RECONSIDERATION.

Mr. Hundley moved to reconsider the vote by which H. B. 934. To incorporate the Southern Iron Company, was lost on yesterday.

Carried.

On motion, the vote by which the bill was ordered to a third reading was reconsidered.

On motion of Mr. Hundley, the bill was amended by striking out the following words in section 11 :

"In addition to the capital stock herein authorized, not to exceed five million dollars."

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Bradley, Brown, Clark, Clements, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Knight, Lay, Ledyard, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Tatum, Walker, Ward, Webb, Wiley, Williams, Winston, Woolf, White of Dallas—59.

Ordered to senate without engrossment.

## BILLS ON THIRD READING.

By leave, Mr. Lay called up  
s. 233. To regulate the trial of misdemeanors in Barbour county.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Maddox, Mancill, Maley, Miller, McElvey, McLendon, Nelson, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Walker, Ward, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By leave, Mr. George called up  
s. 179. To amend section 157 of the Code.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Arrington, Barnett, Benners, Bevis, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Johnson, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Maley, Moseley, McLendon, Nelson, Nisbet, Parker, Patton, Pitts, Porter, Posey, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

Also, by leave,

s. 180. To amend section 159 of the Code.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Anderson, Arrington, Barnett, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Cochrane, Cunningham, Darby, Dark, Davie, Denson, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, King, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Maley, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Porter, Posey, Powell, Pratt, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watters, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

By leave, Mr. Denson called up

H. B. 481. To authorize the governor to settle with David G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer.

Mr. Denson moved to amend the bill by striking out "\$2,500.00" and inserting in lieu "\$3,500.00."

Carried.

Mr. Denson offered the following amendment :

Add to the end of last paragraph the following :

"Provided, the said thirty-five hundred dollars shall be paid by said Allen within thirty days from the adjournment of the present session of the legislature; and provided, that the suit now pending in the city court of Montgomery shall be dismissed at the cost of the said D. G. Allen."

The amendment was adopted.

The bill was read the third time at length and passed—yeas 55, nays 6.

Yeas—Messrs. Speaker, Arrington, Benners, Billingslea, Bush, Brown, Cochrane, Cornelius, Cunningham, Darby,

Dark, Davie, Denson, Dupree, Dykes, Files, Henderson, Hogue, King, Knight, Kyle, Lay, Ledyard, Longshore, Lowe, Mancill, Maley, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pitts, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Webb, Wiley, Woolf, White of Dallas, White of Geneva—55.

Nays—Messrs. Bolton, Higgins, Hundley, Long, Moseley, Summers—6.

By leave, Mr. Hogue called up

s. 86. For the removal of the State Normal School and University for colored students, from Marion, Perry county; to change its name to the State Normal for colored students, and to provide for the control and maintenance of the same.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Billingslea, Bush, Blevins, Brown, Clements, Cochran, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Files, George, Hampton, Hogue, Hundley, Kemp, King, Lay, Lewis, Longshore, Maley, Miller, McElderry, Nelson, Nisbet, Patton, Pitts, Porter, Posey, Pratt, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Woolf, White of Dallas, White of Geneva—51.

Mr. White of Dallas, by leave, called up

H. B. 952. To pay Robert Hasson, door-keeper of the house, and James Armstrong, door-keeper of the senate, for articles purchased for the use of the senate and house of representatives.

The bill was read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Speaker, Adams, Barnett, Benners, Bevis, Billingslea, Bolton, Blevins, Brown, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, Hampton, Hogue, Hundley, Kemp, King, Lay, Ledyard, Lewis, Lowe, Maley, Moseley, McLendon, McRee, Nelson, Nisbet, Parker, Patton, Pitts, Porter, Posey, Pratt, Sowell, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watters, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—51.

## SPECIAL ORDERS.

*First.*

s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

Mr. Wiley offered the following amendment :

Amend by striking out section 1 and inserting the following :

Section 1. Be it enacted by the general assembly of Alabama, That it shall not be lawful for planters, farmers and crop growers to mortgage their crop or crops before or after the same shall be planted, and that a mortgage upon any part of a growing crop shall not convey either the legal or equitable title to the same.

Mr. Pitts moved to lay the amendment on the table.

The amendment was tabled—

Yeas 56, nays 8.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bilingslea, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Denson, Files, Hampton, Kemp, Knight, Ledyard, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Posey, Powell, Rabb, Russell, Simmons, Summers, Smaw, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Williams, Woolf, White of Dallas, White of Geneva—56.

Nays—Messrs. Hundley, Johnson, Lay, Lewis, Porter, Wiley, Winston and Hogue—8.

Mr. Henderson offered the following amendment, which was adopted:

Add to the bill these words:

“Provided, the provisions of this act shall not apply to the counties of Randolph, St. Clair, Chambers, Talladega, Tallapoosa, Clay, Chilton and Lee.”

The bill was read the third time at length and passed—yeas 50, nays 23.

Yeas—Messrs. Speaker, Anderson, Bevis, Bogart, Bolton, Bush, Brown, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Denson, Files, Hampton, Higgins, Kemp, King, Knight, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maley, Miller, Moseley, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Pitts, Posey, Powell, Rabb, Simmons, Summers, Smaw, Smisson, Smith, Stone, Stowers, Ward, Watters, Williams, Woolf, White of Geneva—50.

Nays—Messrs. Arrington, Billingslea, Blevins, Cornelius, Dykes, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Johnson, Kyle, Lewis, Maddox, Maley, McElderry, Nelson, Patton, Stansel, Walker, Wiley, Winston—23.

*Second.*

H. B. 860. To provide for the disposition of the fund derived from the 16th section or other school lands, and to secure the interest thereon for the public schools of the State.

The bill was read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Arrington, Benners, Bevis, Bolton, Blevins, Brown, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Kemp, King, Knight, Lay, Ledyard, Longshore, Lowe, Maddox, Mancill, Moseley, McElderry, McLendon, NeSmith, Nisbet, Parker, Pitts, Porter, Posey, Pratt, Simmons, Sowell, Stansel, Stone, Stowers, Walker, Ward, Watters, White of Dallas, White of Geneva—51.

Nays—Messrs. Hundley and Rabb—2.

The bill was ordered to the senate without engrossment.

*Third.*

H. B. 27. To amend subdivisions 17 and 18 of section 96 and subdivision 8 of section 120 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 54, nays 1.

Yeas—Messrs. Speaker, Arrington, Benners, Bevis, Bolton, Bradley, Brown, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pitts, Porter, Rabb, Russell, Simmons, Summers, Smith, Stansel, Stone, Walker, Ward, Watters, Wiley, Williams, Woolf, White of Dallas, White of Geneva—54.

Nay—Mr. Adams—1.

*Fourth.*

H. B. 747. To amend section 614 of the Code, so as to provide for the more certain collection of escaped taxes, and



for the better description of lands sold for taxes and bid in by the State.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Adams, Anderson, Arrington, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Cunningham, Darby, Dark, Davie, Dupree, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Miller, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Williams, Woolf, White of Dallas, White of Geneva—61.

### *Fifth.*

H. B. 942. To amend sections 2 and 3 of an act entitled an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

The substitute offered by the committee was adopted.

Mr. Clements offered a substitute for the bill, which was adopted.

Mr. Shorter offered the following amendment, which was adopted :

“The clerk is entitled to a credit for the amounts paid for exchange in remitting the amounts to the auditor.”

The bill was read the third time at length and passed—yeas 57, nays 3.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Bevis, Billingslea, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dykes, George, Hampton, Henderson, Hogue, Hundley, Johnson, King, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Russell, Sowell, Stansel, Stone, Walker, Watters, Williams, Winston, Woolf, White of Dallas, White of Geneva—57.

Nays—Messrs. Bolton, Files, Higgins—3.

### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has amended as therein shown, and as amended, has passed

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous, malt liquors, intoxicating bitters, or intoxicating beverages, in Clay county, Alabama.

H. B. 89. To fix the rate of taxation in this State, and has originated and passed, and ordered forthwith to the house,

s. 465. To cede to the United States, for a limited time, jurisdiction over the site for the erection of United States Government buildings in the city of Birmingham.

s. 473. For the relief of James B. Conine of Tallapoosa county.

s. 454. To incorporate the American Coal Company.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committee as follows :

s. 465. To a special committee, consisting of Messrs. Porter and Lowe, with leave to report at any time.

s. 473, to local legislation.

s. 454, to corporations.

On motion of Mr. Clements the house concurred in the senate amendment to

H. B. 89. To fix the rate of taxation in this State.

Yeas 53, nays 0.

Yeas— Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, Hampton, Higgins, Hogue, Hundley, Lay, Ledyard, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Pratt, Rabb, Sowell, Summers, Smith, Stansel, Stone, Stowers, Walker, Watters, Williams, Winston, White of Geneva—53.

On motion of Mr. Nelson, the house concurred in the first senate amendment to

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages, in Clay county, Alabama.

Yeas 51, nays 2.

Yeas—Messrs. Speaker, Arrington, Bevis, Bolton, Blevins, Bradley, Brown, Clements, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Henderson, Higgins, Hogue, King, Knight, Kyle, Ledyard, Longshore, Lowe, Maddox, Maley, Moseley, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Patton, Porter, Powell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Wade, Walker, Williams, Winston, Woolf, White of Geneva—51.

Nays—Messrs. Lewis and Rabb—2.

On motion of Mr. NeSmith, house concurred in the second senate amendment to said

H. B. 109. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages, in Clay county, Alabama.

Yeas 51, nays 1.

Yeas—Messrs. Speaker, Arrington, Bevis, Bolton, Blevins, Brown, Cochrane, Darby, Dark, Davie, Denson, George, Hampton, Henderson, Higgins, Hogue, Hundley, King, Kyle, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watters, Williams, Winston, Woolf, White of Dallas, White of Geneva—41.

Mr. Rabb voted no—1.

#### INTRODUCTION OF BILLS.

Bills were introduced,

By Mr. Clements—

H. B. 1011. To require the sheriffs of the counties of this State to keep a correct record in his office of each and every prisoner in jail.

By Mr. White of Dallas—

H. B. 1012. To amend section 1664 of the Code of Alabama.

Also,

H. B. 1013. To provide for the issuance of registered bonds of this State, authorized by the act approved February 13th, 1879.

By Mr. Woolf—

H. B. 1014. To provide for the settlement of certain claims against the State.

All of the above bills were severally read one time, and referred to the judiciary committee—House bills 1011, 1012, 1013, 1014.

## REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bill,

H. B. 998. To require the clerk of the circuit court of Jefferson county, in this State, to index the several record books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county,

With amendments.

Mr. Lowe, from the committee on corporations, reported favorably to the bill,

s. 350. To incorporate the Alabama Land and Immigration Company.

The foregoing bills were severally read a second time, and placed on the calendar.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following bills correctly enrolled :

H. B. 709. To incorporate the Alabama and Texas Railway Company.

H. B. 586. To amend section 4870 of the Code of 1886 so far as the same relates to Limestone county, Alabama.

H. B. 321. To amend an act entitled an act granting the right-of-way to the Nashville and Chattanooga Railroad Company through Jackson county, and the privilege of constructing a bridge across the Tennessee river in said county, approved January 21st, 1850.

H. B. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile and Navy Cove Harbor Railway Company, approved February 28th, 1887.

H. B. 200. To amend sections 1, 2, and 11 of an act entitled an act to regulate the practice of pharmacy, and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

H. B. 237. To confirm, amend and enlarge the charter of the Bessemer Dummy line, and to change the name thereof.

H. B. 646. To declare F. M. Dansby, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

H. B. 624. To amend sections one and two of an act entitled an act to incorporate the Southwestern Railway Company, approved January 21, 1860.

H. B. 578. To authorize the court of county commissioners of Tuscaloosa county to purchase claims against the fine and forfeiture fund of said county.

H. B. 677. To provide for the term of office of the tax collector of Lee county.

H. B. 553. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within the Fairfield precinct, Pickens county, Alabama.

H. B. 319. To amend section 215 of the Code.

H. B. 613. To provide for the times of holding the circuit courts in the sixth judicial circuit of this State.

H. B. 369. To amend section 3024 of the Code of Alabama.

H. B. 150. To amend paragraph numbered one of section 1525 of the Code of Alabama.

H. B. 3. To repeal an act entitled an act to charter a ferry across Coosa river at or near Cedar Bluff, in Cherokee county.

H. B. 642. To amend an act to provide for funding and paying the legal debts of Selma, created prior to December 6, 1875, approved December 7, 1888.

H. B. 679. To change the name of the town of Browneville, in Lee county.

H. B. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12th, 1888.

H. B. 487. To define and regulate the jurisdiction of justices of the peace and notaries public who are ex-officio justices of the peace in precincts 21 and 37, and in the wards of the city of Birmingham, Jefferson county, Alabama, and to regulate their fees.

H. B. 542. To amend section 2 of an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

H. B. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

H. B. 241. To amend sections two, three, four, six and fourteen and thirty-three of an act entitled an act to amend an act to incorporate the District of Opelika, and provide for the government thereof, approved February 16, 1885.

B. M. MILLER,  
Chairman of Committee.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bill, your signature thereto is requested:

s. 194. To incorporate the Southern Guaranty company.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills.

The hour of 1:30 p. m. having arrived, the house stood adjourned until 3:30 p. m. to-day.

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 AFTERNOON SESSION.

The house reassembled at 3 p. m.  
A quorum was present.

## BILLS ON THIRD READING.

By leave, Mr. Stone called up—

s. 301. To amend the charter of the Age-Herald company, to ratify and confirm all its acts and doings under said charter, to ratify and confirm the issue by it of preferred stock, and to confer upon it additional powers.

The bill was read the third time at length and passed—yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McDerry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Summers, Smisson, Smith, Stansel, Stone, Stowers,



Tatum, Walker, Watters, Williams, Woolf, White of Dallas—68.

By leave, Mr. Clements called up—

H. B. 441. To amend sections one and seven of an act, approved February 22, 1887, to authorize the issue of the bonds of the State to the amount of nine hundred and fifty-four thousand dollars, for the purpose of paying, taking up and cancelling the bonds of the State, bearing six per cent. per annum, issued under an act approved February 13, 1879, to provide for the funding of the domestic debt of the State.

The bill was read the third time at length and passed—yeas 68, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bevis, Bolton, Blevins, Bradley, Brown, Clerk, Clements,  
Cochrane, Cornelius, Cunningham, Darby, Dark, Denson,  
Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins,  
Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee,  
Long, Longshore, Lowe, Maddox, Mancill, Miller, Moseley,  
McElderry, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton,  
Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sum-  
mers, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade,  
Walker, Ward, Watters, Williams, Woolf, White of Dallas,  
White of Geneva—68.

#### SPECIAL ORDER.

H. B. 959. To provide for the collection of State and county taxes where tax payers list their property for taxes in one county and remove to another without paying their taxes.

The bill was read the third time at length and passed—yeas 63, nays 1.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bolton, Blevins, Bradley, Brown, Clark, Clements, Coch-  
rane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes,  
Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley,  
Kemp, Knight, Lay, Ledyard, Long, Longshore, Lowe, Man-  
cill, Maley, Miller, McElderry, McLendon, McLeod, Nelson,  
NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter,  
Posey, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stone,  
Stowers, Tatum, Wade, Walker, Ward, Williams, Winston,  
Woolf, White of Geneva—63.

Nay—Mr. Rabb—1.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Hampton—

H. B. 38. To establish two branch agricultural experiment stations, and agricultural schools, one in North Alabama, and the other at or near Abbeville, in Henry county, in South-East Alabama.

On motion of Mr. Wiley, the bill was recommitted to the committee on agriculture.

By Mr. Walker—

s. 337. To authorize Madison county to purchase and to build macadamized roads, and to issue bonds of the county to aid in the construction thereof.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Billingslea, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Hampton, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Long, Longshore, Lowe, Maddox, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Summers, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Wiley, Williams, Winston, Woolf, White of Dallas—62.

Mr. Pettus, by leave—

H. B. 603. To ratify, affirm and confirm the numbering of the sections of the code of 1886, as printed.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Billingslea, Bolton, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, George, Hampton, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Summers, Smaw, Stansel, Stone, Wade, Walker, Watters, Williams, Woolf, White of Dallas, White of Geneva—61.

The bill was ordered to the senate without engrossment.

By Mr. Woolf—

H. B. 694. To amend the charter of the city of Faunsdale, county of Marengo, State of Alabama.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bevis, Blevins, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Lay, Lee, Lewis, Long, Longshore, Lowe, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Patton, Pettus, Porter, Posey, Pratt, Rabb, Rattray, Russell, Smith, Stansel, Stone, Stowers, Wade, Ward, Watters, Wiley, Winston, Woolf, White of Dallas, White of Geneva—54.

On motion, the bill was sent forthwith to the senate without engrossment.

By Mr. Clark—

H. B. 293. To repeal an act entitled an act to repeal an act to regulate the publication of legal notices in Shelby, and other counties therein named, approved March 3d, 1870, so far as the same applies to Marion county, approved February 4th, 1885.

On motion of Mr. Pettus, the bill was laid upon the table.

By Mr. Winston—

s. 226. To amend section 1442 of the Code of 1886, provided the same shall only apply to Marshall county.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Billingslea, Blevins, Brown, Carter, Cornelius, Darby, Dark, Davie, Denson, Dupree, George, Hampton, Henderson, Hogue, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Lowe, Mancill, Maley, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Wiley, Winston, Woolf, White of Geneva—58.

By Mr. Cunningham, by leave—

s. 256. To regulate the survey and division of lands into lots and platting the same.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—Yeas 62, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Blevins, Bradley, Brown, Carter, Clem-

ents, Cochrane, Cornelius, Cunningham, Dark, Davie, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Tatum, Wade, Walker, Ward, Watters, Wiley, Woolf, White of Geneva—62.

By Mr. Lay—

H. B. 704. To amend sections 1, 3, 5 and 13 of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

The bill was read the third time at length and passed—yeas 54, nays 1.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Blevins, Brown, Carter, Clements,  
Cochrane, Cornelius, Cunningham, Darby, Dark, Denson,  
Fitzpatrick, Hampton, Henderson, Hogue, Hundley, Lay,  
Ledyard, Lewis, Long, Lowe, Maddox, Maley, Miller, Moseley,  
McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet,  
Paine, Parker, Pettus, Pitts, Porter, Posey, Pratt, Russell,  
Sowell, Smith, Stansel, Stone, Stowers, Tatum, Walker, Ward,  
Watters, Williams, Woolf—54.

Mr. Denson voted no—1.

By Mr. Anderson—

s. 199. To repeal an act entitled an act to raise a fund for the benefit of the fire companies in the city of Mobile.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis,  
Bradley, Carter, Cunningham, Darby, Denson, Dykes, Fitz-  
patrick, Hampton, Henderson, Hogue, Hundley, Kemp, King,  
Knight, Ledyard, Lewis, Lowe, Maddox, Miller, Moseley, Mc-  
Elderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine,  
Parker, Patton, Pitts, Porter, Posey, Russell, Simmons, Smith,  
Stansel, Stone, Stowers, Wade, Walker, Weaver, Wiley,  
Woolf—51.

Mr. Lay voted no—1.

By Mr. Ledyard—

s. 220. To provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bevis, Blevins, Brown, Clements, Cochrane, Cornelius,  
Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick,  
George, Hampton, Henderson, Hogue, Kemp, King, Kyle,  
Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maley, Moseley,  
McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet,  
Parker, Patton, Pettus, Pitts, Porter, Powell, Russell, Smith,  
Stone, Stowers, Tatum, Walker. Ward, Wiley, Williams,  
Woolf, White of Dallas, White of Geneva—56.

By Mr. Lewis—

H. B. 863. To regulate Mobile harbor.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas  
55, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis,  
Bolton, Blevins, Brown, Carter, Clements, Cochrane, Cun-  
ningham, Dark, Denson, Dupree, Fitzpatrick, George, Hender-  
son, Higgins, Hogue, Kemp, King, Kyle, Lay, Ledyard, Lee,  
Lewis, Longshore, Maddox, Maley, Moseley, McElderry, Mc-  
Lendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker,  
Patton, Pettus, Pitts, Porter, Posey, Pratt, Russell, Sowell,  
Smith, Tatum, Walker, Watters, Wiley, Winston, Woolf,  
White of Geneva—55.

By Mr. Kemp—

s. 238. To relieve John Sanders, a minor, in the county of  
Monroe, of all the disabilities of a minor.

The bill was read the third time at length and passed—yeas  
56, nays 2.

Yeas—Messrs. Speaker, Arrington, Bevis, Blevins, Brown,  
Cornelius, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hamp-  
ton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp,  
King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore,  
Lowe, Maddox, Maley, McElderry, McLendon, McLeod, Mc-  
Ree, Nelson, NeSmith, Nisbet, Paine, Parker, Pitts, Posey,  
Pratt, Russell, Simmons, Stansel, Stone, Stowers, Tatum,  
Wade, Ward, Watters, Wiley, Williams, Winston, Woolf,  
White of Geneva—56.

Nays—Messrs. Benners, Walker—2.

By Mr. McLendon—

s. 259. To incorporate the Fidelity, Mortgage & Trust  
Company of Alabama.

The bill was read the third time at length and passed—  
yeas 52, nays 8.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners,

Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Fitzpatrick, George, Hampton, Henderson, Hogue, Johnston, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maley, Moseley, McElderry, McLendon, McLeod, McRee, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smith, Stansel, Stone, Stowers, Tatum, Wade, Watson, Watters, Wiley, Williams, Woolf, White of Geneva—52.

Nays—Messrs. Adams, Higgins, Hundley, Lay, Maddox, Nelson, NeSmith, Rabb—8.

Also,

s. 336. To amend section 677 of the Code.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bolton, Blevins, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Knight, Ledyard, Longshore, Lowe, Maddox, McElderry, McLendon, McLeod, McRee, Nelson, Pettus, Pitts, Powell, Pratt, Russell, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Watters, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—52.

Mr. Pettus moved to reconsider the vote by which the bill passed, and moved to table that motion.

The latter motion prevailed.

By Mr. Wiley—

H. B. 987. For the relief of B. F. Noble of Montgomery county.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bolton, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Patton, Pitts, Posey, Powell, Pratt, Russell, Simmons, Smith, Stansel, Stowers, Tatum, Wade, Walker, Ward, Wiley, Williams, Winston, Woolf, White of Geneva—58.

By Mr. Kyle—

H. B. 990. To establish a separate school district, to be known as the Salem school district, in the county of Lee,



and State of Alabama, and for the appointment of a board of trustees therefor.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Bolton, Blevins, Brown, Clark, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Henderson, Higgins, Hogue, Johnson, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Russell, Simmons, Smisson, Smith, Stone, Stowers, Tatum, Wade, Ward, Watters, Wiley, Williams, Winston, Woolf—56.

By Mr. Fitzpatrick—

H. B. 565. To regulate the trial of bastardy proceedings in Mobile county.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Bolton, Bradley, Brown, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, McElderry, McLendon, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Russell, Smith, Stansel, Stone, Stowers, Walker, Watters, Wiley, Williams, Woolf, White of Geneva—52.

By Mr. Adams, for Mr. Weaver—

s. 87. To authorize members of the different farmers alliances or other organizations of like kind of the State to organize themselves into a body corporate.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Anderson, Bolton, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Kyle, Ledyard, Lee, Long, Longshore, Maddox, Maley, McLendon, Nelson, NeSmith, Parker, Pettus, Pitts, Posey, Pratt, Russell, Simmons, Smaw, Smisson, Stansel, Stone, Walker, Watters, Williams, Winston, White of Geneva—52.

Mr. Pitts moved that the vote by which the bill passed be reconsidered, and moved to lay that motion on the table.

The latter motion prevailed.

By Mr. Pitts—

s. 421. For the relief of the heirs of Daisy Hardy, deceased.

The bill was read the third time at length and passed—yeas 54, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Bolton, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Long, Longshore, Maley, Moseley, McElderry, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Simmons, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watters, Wiley, Williams, Winston, Woolf, White of Geneva—54.

Nays—Messrs. Benners, Maddox, Paine—3.

By Mr. Hogue—

s. 368. To allow the hunting and killing of deer in certain portions of Perry county.

The bill was read the third time at length and passed.

Yeas 55, nays 14.

Yeas—Messrs. Speaker, Adams, Anderson, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Henderson, Higgins, Hogue, Kemp, King, Knight, Kyle, Lee, Long, Longshore, Maddox, Moseley, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pitts, Porter, Posey, Russell, Smaw, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Wiley, Williams, Winston, Woolf, White of Geneva—55.

Nays are Messrs. Benners, Hundley, Lay, Ledyard, Lewis, Maley, McLendon, Patton, Pettus, Pratt, Rabb, Simmons, Smith, Watters—14.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed, and ordered to the house without engrossment, the following bills:

s. 420. For the relief of Mrs. Louisa Long of Butler county.

s. 371. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of the same.

s. 375. To amend section 17 of an act to incorporate the city of Calera in the county of Shelby.

s. 446. To amend subdivision 25 of section 13 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887.

s. 422. To incorporate the Chicago & Gulf Rail Road Company, and to further the construction of the same.

s. 443. For the relief of Mary Royen, a minor, of Limestone county.

WM. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 422, 443, 446, to judiciary.

s. 420, to ways and means.

s. 375, to corporations.

s. 371, to local legislation.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 15, 1889.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house:

House bills 434, 373, 552, 236, 322, 147, 230, 422, 631.

THOS. H. CLARK,  
Recording Secretary.

The hour of 7:30 p. m. having arrived, the house stood adjourned till to-morrow morning at 10 a. m.

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#### FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,

Saturday, Feb. 16, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead of the city.

Present—Messrs. Speaker, Adams, Anderson, Arring-

ton, Barnett, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva--89.

The journal of yesterday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Mr. McElvey till Tuesday afternoon, and to Mr. Kyle from 12 M. to-day until Wednesday next; to Messrs. Davie and Bush till Monday next.

#### BILL ON THIRD READING.

By leave, Mr. Cunningham called up

H. B. 881. To incorporate the Tennessee River and Birmingham Railroad Company, to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bolton, Blevins, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, McElderry, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Ward, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—61.

On motion, the bill just passed was ordered forthwith to the senate without engrossment.

## SPECIAL ORDER.

H. B. 618. To amend section 1005 of the Code.

The bill was read the third time at length and passed—yeas 43, nays 32.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Boggart, Bolton, Blevins, Bradley, Brown, Clark, Cornelius, Dark, Denson, Dupree, Dykes, Files, French, Henderson, Higgins, Kemp, King, Knight, Lee, Long, Longshore, Mancill, Maley, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Parker, Pitts, Porter, Posey, Rabb, Sowell, Summers, Wade, Walker, Ward, Weaver, Winston, Woolf, White of Geneva—43.

Nays—Messrs. Bevis, Clements, Cochrane, Cunningham, Darby, Fitzpatrick, George, Hampton, Hogue, Hundley, Kyle, Ledyard, Lewis, Maddox, Miller, Nisbet, Paine, Patton, Pitts, Porter, Posey, Pratt, Rattray, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Webb, Williams, White of Dallas—32.

Mr. Winston moved to re-consider the vote by which the bill just passed, was passed, and then moved to lay that motion upon the table.

The latter motion prevailed.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following bills properly enrolled:

H. B. 645. To declare J. T. Cain, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

H. B. 764. To re-enact section 3286, 3287, and 3288, of the Code of 1886, as to the county of Lamar.

H. B. 367. For the relief of Wm. P. Hickman, late county treasurer of Jefferson county.

H. B. 593. To provide for the working the public roads in Cleburne county, by taxation.

H. B. 89. To fix the rate of taxation in this State.

H. B. 457. To authorize the mayor and councilmen of the town of Greensboro to issue bonds to take up the outstanding indebtedness of said town, and to provide sewerage and water for said town.

H. B. 381. To regulate the taking up and impounding of stock owned by persons residing in non-stock districts of

Pike county, that may be taken up in stock districts of Pike county.

H. B. 547. To regulate the fine and forfeiture fund of Elmore county.

H. B. 627. To regulate the assessment of property after the completion of his sittings by the tax assessor of Barbour county.

H. B. 438. To authorize the filing and recording of certain deeds of conveyance named therein in the office of the probate court of the State.

H. B. 421. To make an appropriation for the expenses of encampments of Alabama State troops for the years 1889 and 1890.

H. B. 598. To form a separate school district in Talladega county to be known as the Chinnabee School District.

H. B. 176. To authorize judges of probate to pay over to minors certain funds and take their receipts for the same.

H. B. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters or intoxicating beverages in Clay county, Alabama.

H. B. 447. To prescribe the mode and time of advertising property for sale, levied on under executions issued on the judgments of justices of the peace and notaries public, with powers of justices, and under attachments issued by such officers, and to fix the place of sale.

H. B. 37. To amend sections 2732 of the Code of 1886, prescribing the time for pleading.

H. B. 591. For the protection of land and property against the depredations of live stock in portions of precincts Nos. one (1), two (2), three (3), four (4), five (5), and six (6), in Autauga county.

B. M. MILLER,  
Chairman.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 400. To amend section one of an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters or mixtures within five miles of Good Water Academy, Coosa county, and in the county of Butler, except in beat number 12 of said county.



s. 206. To authorize the Decatur Land Improvement and Furnace company to retire and cancel certain stock herein named.

s. 232. To incorporate the Marion Military Institute, in Marion, Perry county, Alabama.

s. 101. To amend a charter for the town of Louisville, in Barbour county.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills, and in the foregoing senate message.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 325. To provide for the listing of lands by tax assessors.

s. 200. For the relief of S. F. Cruikshank, of Talladega county, Alabama.

s. 434. To amend section five of an act to define the rights and liabilities of husband and wife.

s. 189. To amend section 4078 of the Code.

s. 366. For the better prevention of mobs, riots and tumults.

And has passed, and ordered to the house without engrossment,

s. 374. To amend section 1594 of the Code.

s. 353. To amend section 1588 of the Code.

s. 164. To amend section 4031 of the Code, so as to allow defendants to give evidence of abusive, or insulting language by prosecutrix under said section in mitigation of fine or justification of offense.

s. 339. To fix the time of holding the spring and fall terms of the chancery court of Cherokee and Cleburne counties.

And has passed—

H. B. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4th, 1879, and the various acts amendatory thereof.

H. B. 329. To amend sections 1, 2 and 3 of an act to regulate the taking up of stock in districts where stock of any kind is prevented by law from running therein, in Wilcox county, approved February 24, 1887.

H. B. 652. To empower the township superintendent of township two, of range ten, in Escambia county, Alabama, to make titles to certain lands.

H. B. 638. To incorporate the Highland Home College, in Crenshaw county.

H. B. 824. To authorize James T. Beck and others to establish a public ferry at Ellis' Landing on the Alabama river, in Wilcox county, Alabama.

H. B. 612. To remove disabilities of non-age of Miss Leila A. Crews of Sumter county.

H. B. 536. To incorporate the Western Contract and Construction company of Alabama.

H. B. 761. To incorporate the Walnut Grove College, at Walnut Grove, Elmore county, Alabama.

H. B. 457. To authorize the mayor and councilmen of the town of Greensboro to issue bonds, to take up the outstanding bonded indebtedness of said town, and to provide sewerage and water for said town.

And has amended as therein shown, and as amended, has passed—

H. B. 154. For the relief of the colored people's University at Montgomery.

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

H. B. 504. To establish the city court of Anniston.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows:

s. 325, 200, to ways and means.

s. 434, 339, to judiciary.

s. 189, to public health.

s. 366, to military.

s. 374, to corporations.

s. 353, 164, to revision of laws.

On motion of Mr. Porter, the house non-concurred in the senate amendments to—

H. B. 504. To establish the city court of Anniston,

And asked for a committee of conference.

Committee on part of the house—Messrs. Porter, Clements and Williams.

On motion of Mr. Benners, the house non-concurred in the senate amendments to—

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

On motion of Mr. Hogue, the house concurred in the senate amendment to—

H. B. 154. For the relief of the colored people's University at Montgomery.

Yeas 57, nays 2.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, King, Knight, Lay, Ledyard, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McLendon, McLeod, Paine, Patton, Pettus, Porter, Posey, Rabb, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—57.

Nays—Messrs. Higgins and NeSmith—2.

#### INTRODUCTION OF BILLS.

Bills were introduced by

Mr. Williams, (by request)—

H. B. 1015. To provide for an increase of payment to the sheriff of Calhoun county, for ex officio services.

Mr. Pitts—

H. B. 1016. To amend section 211 of the Code of Alabama.

Mr. Henderson—

H. B. 1017. To amend section 1 of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

Mr. Kemp—

H. B. 1018. To authorize the county commissioners of Monroe county to levy a special tax of one-fifth of one per cent., for bridge purposes.

Mr. Webb—

H. B. 1019. To appropriate two and three per cent. fund now in the treasury of Alabama, and to be hereafter received.

The foregoing bills were severally read one time and referred to committees, as follows :

H. B. 1015, to fees and salaries.

H. B. 1016, to judiciary.

H. B. 1017, to a special committee, Mr. Henderson chairman.

H. B. 1018, to revision of laws.

H. B. 1019, to ways and means.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Porter, from a special committee, consisting of the Jefferson county delegation, reported favorably to the bill, s. 465. To cede to the United States for a limited time, jurisdiction over the site for the erection of United States government buildings in the city of Birmingham.

Mr. Pettus, from the judiciary committee, reported favorably to the bills,

H. B. 998. To require the clerk of the circuit court of Jefferson county in this State, to index the record books in his office which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

s. 401. To fix the pay of the superintendent of education of the county of Perry.

s. 422. To incorporate the Gulf and Chicago Railroad Company, and further the construction of the same.

s. 247. To fix the time of holding the circuit court in the several counties composing the seventh judicial circuit.

H. B. 1011. To require the sheriff of the counties of this State to keep a record book in his office, in which shall be recorded the name of each prisoner confined in jail.

H. B. 1012. To amend section 1664 of the Code of Alabama.

H. B. 1013. To amend an act to provide for the issuance of registered bonds of this State, authorized by the act approved February 23, 1876, approved February 13, 1879.

H. B. 1014. To provide for the settlement of certain claims against the State.

s. 411. To make the clerk of the circuit court of Escam-

bia county ex officio clerk of the county court of said county.

s. 254. To repeal section 4140 of the Code of Alabama.

s. 306. To provide for the payment of certain costs incurred in the courts of justices and notaries in Marengo county.

s. 314. To provide for the humane killing of animals so maimed or crippled by railroad locomotives or cars, as to be unable to procure food or drink for themselves.

s. 329. To amend section 2772 of the Code.

s. 446. To amend subdivision 25 of section 13 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887.

Mr. Smith moved to take from the adverse calendar—

s. 328. To regulate the liability for and payment of costs accruing in the several courts, where parties are indicted or proceeded against jointly.

Carried.

And bill was read a second time.

Mr. Stansel, from committee on revision of laws, reported favorably to the bill:

s. 311. To provide for the destroying abandoned, diseased or injured animals.

Mr. Fitzpatrick, from the committee on education, reported favorably to the bills,

H. B. 620. To constitute the city of Montgomery a separate school district, with amendment.

H. B. 1001. To amend section 8 of an act to constitute the corporate limits of the city of Troy, in Pike county, a separate school district by the name of the "school district of the city of Troy," approved February 26, 1887.

H. B. 214. To establish boards of education in the several counties of this State for the regulation and control of the common schools therein, and to define the duties and powers thereof.

H. B. 985. To establish a separate school district in Conecuh to be known as the "Fortner District."

s. 241. To amend sections 1, 8, 9, 12, 13 and 14 of an act to create a board of education for the town of Decatur, and to prescribe the duties and powers of the same.

H. B. 710. To amend section 959 of the Code, with amendment.

H. B. 992. To define the obligations taken by pupils entering normal schools, and to provide for the enforcement thereof, with amendment.

s. 408. To amend the caption and section 1 of an act, approved February 7, 1852, entitled an act to incorporate the Baptist Female Institute at Moulton.

s. 307. To provide for the study of history in public schools, with amendment.

s. 277. To amend sections one (1), three (3), five (5) and nine (9) of an act to amend an act to organize and regulate a system of public school instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 28, 1887.

s. 286. To amend section 984 of the Code.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

s. 432. To amend section 38 of the charter of the city of Bessemer, Alabama.

s. 372. To amend section 18 of an act approved February 23, 1887, entitled an act to incorporate the Wetumpka and Coosa River Canal and Manufacturing Company.

H. B. 1006. To confirm the incorporation and organization of the Florence Building and Investment Association, and to give said company additional powers.

H. B. 1003. To incorporate the town of Warrior.

s. 347. To amend the charter of the city of Birmingham, so as to enlarge the limits of said city and so as to create a new ward in said city, with amendment.

Mr. Kyle, from the committee on local legislation, reported favorably to the bills,

H. B. 1010. To regulate the disbursing of the fine and forfeiture fund of Tallapoosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to their registration.

s. 394. To regulate the fine and forfeiture fund of Calhoun county.

s. 393. To provide that the county commissioners of Calhoun county shall be entitled to the same mileage when they attend special terms of the court or meet as jury commissioners, as they are now paid when they meet in regular terms.

Mr. Ledyard, from the committee on military, reported favorably to the bill,

H. B. 752. To authorize the governor to adjust and settle the claim of Johnston Jones for services rendered the State of Alabama in restoring the quota of arms and equipments by the United States to the State of Alabama.



Mr. Lee, from the committee on temperance, reported favorably to the

H. B. 1009. To prohibit the sale or giving away of spirituous, vinous, or malt liquors, within four miles of Harmony Grove church and academy, in Limestone county.

Also, favorably to

H. B. 1008. To prohibit the sale or giving away of spirituous, vinous or malt liquors, within three miles of Hebron church, in Limestone county.

The foregoing bills were severally read a second time and placed on the calendar.

*Mr. Speaker :*

The committee on federal relations, to which was referred the message from the governor bearing date February 12, 1889, in regard to the propriety of Alabama's taking a fitting part in the approaching celebration, in the city of New York, of the centennial anniversary of the organization of the constitutional government of the United States, of the first meeting of congress and of the inauguration of George Washington as president of the United States, have duly considered this matter of concern and importance to the State.

We beg leave to report that, in the opinion of the committee, it would be very appropriate for the people of Alabama to honor the memory of George Washington, our first president, and truly the most august figure in our history, by taking part in this celebration; and we believe further, that Alabama in participating in the celebration would do honor to itself and to the Union.

We recommend that the invitations referred to in the governor's message be accepted, and that the members of the legislature and all others in this State, to whom the invitations were extended, attend the celebration, and that the thanks of the legislature be returned for the invitations extended.

M. A. PORTER,  
Chairman.

The report of the committee was concurred in.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate grants the request of the house for a committee of conference on the bill—

H. B. 504. To establish the city court of Anniston.

Committee on the part of the senate : Messrs. Grant, Stallworth and Huey.

W. L. CLAY,  
Secretary.

#### EXPLANATION.

The gentlemen from Montgomery, Pike and Bullock, to-wit : Messrs. Wiley, Carter and Stowers, being temporarily absent from the hall of the house of representatives (but being in the capitol on other business connected with legislation), when house bill No. 618 was put upon its passage, having made known this fact to the house, were granted unanimous consent to have it recorded on the journal that if they had been respectively present would have voted nay on the passage of said bill.

#### RESOLUTION.

By leave, Mr. Clements offered the following resolution:

*Resolved*, That the house shall confine itself to consideration of house bills, in order to work off all house bills and get them into the senate.

*Resolved further*, That the last four days of the session shall be given to the consideration of senate bills, and such house bills as not heretofore acted upon.

Mr. Rabb moved to amend the resolution by adding the following :

Provided, That, on the call of counties, any member who has no house bill may call up a senate bill, if he deem proper to do so.

The resolution and amendment were referred to the committee on rules.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Stone—

H. B. 842. To amend section 2 of an act entitled an act to authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies, approved February 23, 1883.

The bill was read the third time at length and passed.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Dark, Denson, Dupree, Dykes, Files, Hampton, Henderson, Higgins, Hogue, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Powell, Pratt, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. Stansel—

H. B. 911. To amend an act entitled an act to fix the price of license to be paid for State and county purposes by any person who applies for licenses to retail or wholesale vinous, spirituous or malt liquors, in any part of beat number eight, in Chambers county, Alabama, approved December 12, 1888.

Mr. Denson offered an amendment by way of a substitute, which was adopted :

The bill was read the third time at length and passed—yeas 54, nays 3.

Yeas—Messrs. Benners, Bevis, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Denson, Dupree, Fitzpatrick, Hampton, Higgins, Hogue, Hundley, Johnson, Knight, Kyle, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nisbet, Patton, Pettus, Porter, Powell, Pratt, Sowell, Smaw, Smisson, Stansel, Stone, Stowers, Tatum, Wade, Walker, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

Nays—are Messrs. Adams, Clark, Nelson—3.

By Mr. Darby—

H. B. 869. For the relief of G. N. Buchanan, of the county of Pike.

Mr. Darby offered the following amendment :

Amend by striking out thirty-two in section one, and insert twenty-nine and 25-100 instead thereof.

Adopted.

Also, add the following section :

Section 2. *Be it further enacted*, That the board of commissioners of Pike county is hereby authorized to draw a warrant upon the county treasurer for the sum of thirty-four and 75-100 dollars, the amount of county taxes paid by said G. N. Buchanan during the years 1883, 1884 and 1885, together with the accrued interest thereon.

Adopted.

The bill was read the third time at length and passed—yeas 56, nays 6.

Yeas—Messrs. Bogart, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Files, French, Hampton, Henderson, Higgins, Hogue, Hundley, King, Knight, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Rabb, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—56.

By Mr. Carter—

H. B. 790. To change the name of Brundidge, Pike county.

The bill was read the third time at length and passed.

Yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bogart, Bolton, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, King, Knight, Ledyard, Long, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Williams, Winston, White of Geneva—59.

By Mr. Henderson—

H. B. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph and Shelby counties.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Kemp, King, Knight, Ledyard, Lee, Lewis, Longshore, Maley, Miller, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Pratt, Sowell, Smaw, Smith, Stansel, Stone, Tatum, Wade, Walker, Weaver, Wiley, Williams, Winston, White of Geneva—58.

By Mr. Smith—

H. B. 721. To amend section 3365 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Barnett, Benners, Bevis, Bogart, Bolton, Blevins, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Higgins, Hogue, Kemp, Ledyard, Lee, Lewis, Long, Longshore, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Walker, Weaver, Williams, Winston, Woolf, White of Geneva—61.

By Mr. Nisbet—

H. B. 784. To change the name of Minnie Lee Jenkins, of Russell county, to that of Minnie Lee Turner.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Denson, Dupree, Dykes, Fitzpatrick, French, Higgins, Hogue, Kemp, Knight, Lay, Ledyard, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—54.

By Mr. Longshore—

H. B. 577. To regulate the trial of misdemeanors in Shelby county, Alabama.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Files, Fitzpatrick, French, George, Henderson, Higgins, Hogue, Kemp, Knight, Ledyard, Lee, Lewis, Long, Longshore, Mancill, Maley, Miller, McElderry, McLendon, Nelson, NeSmith, Patton, Pettus, Porter, Powell, Pratt, Rabb, Simmons, Summers, Smaw, Stansel, Stone, Stowers, Wade, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Arrington—

H. B. 823. For the relief of George B. Fellows, as the administrator of the estate of H. D. Fellows, deceased.

Mr. McLeod moved to table the bill.

Lost.

Mr. Lay moved to indefinitely postpone the consideration of the bill.

Lost.

The bill was read the third time at length and passed—yeas 40, nays 28.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Billingslea, Bolton, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Dupree, Dykes, Fitzpatrick, French, Hampton, King, Long, Longshore, Maley, Miller, McElderry, McRee, NeSmith, Powell, Pratt, Rabb, Russell, Simmons, Summers, Stansel, Stone, Wade, Walker, Webb, Winston, Winston, White of Dallas—40.

Nays—Messrs. Benners, Carter, Darby, Dark, Henderson, Hogue, Knight, Lay, Ledyard, Lee, Lewis, Lowe, Moseley, McLendon, McLeod, Nelson, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Smisson, Watters, Wiley, Woolf, White of Geneva—28.

Mr. Arrington moved to reconsider the vote by which the bill just passed was passed, and then to lay that motion on the table.

The latter motion prevailed.

By Mr. Arrington—

H. B. 738. To amend section 491 of the Code of Alabama.

Mr. Miller offered the following amendment:

By striking out "January" in section one of the bill, and inserting "December" in lieu thereof.

Adopted.

Mr. Wiley offered the following amendment:

After the words "office of judge of probate," insert the following:

Except in counties which have boards of revenue, and in such counties the books shall be filed in the office of the president of such board of revenue instead of in the office of the judge of probate.

Adopted.

The bill was read the third time at length and passed—yeas 72, nays 0.

Yeas—Messrs. Speaker, Arrington, Benners, Bogart, Bolton,



Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Lowe, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Pettus, Powell, Rabb, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—72.

By Mr. Webb—

H. B. 417. To amend the charter of Talladega College, Talladega, Alabama.

The bill was read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Files, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Watters, Weaver, Webb, Wiley, Winston, White of Geneva—69.

The bill just passed was ordered forthwith to the senate without engrossment.

By Mr. McElderry—

H. B. 622. To incorporate the city of Jenifer, Alabama.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Cochrane, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Rabb, Russell, Simmons, Smaw, Smith, Stansel, Stone, Stowers, Walker, Watters, Weaver, Webb, Williams, Winston, White of Geneva—67.

By Mr. Dark—

H. B. 861. To prevent stock from running at large in Alexander city beat number 2, in Tallapoosa county, and to authorize an election therein.

Mr. Dark offered the following amendment:

Provided, that the provisions of this act do not apply to resident citizens of beat one, in Tallapoosa county, nor to stock belonging resident citizens of said beat.

Adopted.

The bill was read the third time at length and passed—yeas 57, nays 1.

Yeas—Messrs. Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Files, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lowe, Mancill, Maley, Miller, Moseley, McLeod, McRee, Nisbet, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers Wade, Walker, Watters, Webb, White of Dallas, White of Geneva—57.

Mr. Dupree voted no—1.

By Mr. Dupree—

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens, approved Dec. 28, 1887.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bogart, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Dark, Dupree, Files, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, White of Geneva—59.

By Mr. Clements—

H. B. 415. To punish hunting and fishing on lands after the owner thereof shall have forbidden the same, by notice posted on land, or by publication in a newspaper.

Mr. Clements offered the following amendments, which were severally adopted:

Amend the title by inserting after the words "lands," the words, "within the Warrior agricultural district, Tuscaloosa county."

Amend section 1 after the word "land," by inserting the

words, "within the warrior agricultural district, Tuskaloosa county."

Section 2. At the end of section 2, add following:

"Provided, this act shall apply to land only within the Warrior agricultural district in Tuskaloosa county.

The bill was read the third time at length and passed — yeas 65, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, George, Henderson, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Lee, Long, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Stansel, Stowers, Wade, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—65.

By Mr. Cochrane—

s. 209. To amend the act to incorporate the city of Tuskaloosa, approved March 12, 1873, by amending section 1 of an act, so as to extend the boundary line of said city.

Mr. Clements offered the following amendments:

*Provided further*, That all the taxes which may be assessed and collected on the property of persons residing in the district proposed to be brought into said corporate limits, shall, for the next four years, be appropriated to improving the streets and sidewalks, and for public protection of said extended district, and no portion of said taxes shall be used to pay the old or existing debts of the present city of Tuskaloosa.

Adopted.

Also,

*Provided further*, That a new election for mayor and aldermen of the city of Tuskaloosa shall take place on the first Tuesday in May, 1889, so that the voters in said extended district shall have a voice in the future management of said municipal government. And prior to said election, the new territory taken in, shall be divided into suitable wards, by ordinance of said mayor and aldermen.

Adopted.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m., to-day.

## AFTERNOON SESSION.

The house met pursuant to adjournment.  
There was a quorum present.

## UNFINISHED BUSINESS.

The house resumed consideration of s. 209.

Mr. Stone offered the following amendment:

*Provided*, That this act shall not go into effect until a majority of the voters residing in the district of the proposed extensions of said corporate limits, who may vote therein, shall vote in the affirmative, "For extension," at an election which shall be held on the second Monday in May, 1889. Those opposed to such extension, shall vote, "Against extension." Said election to be ordered by the probate judge of Tuscaloosa county, at two or more places to be designated by said judge, and to be conducted as near as may be in accordance with the general election laws of the State.

On motion of Mr. Cochrane, the amendment was laid upon the table.

The bill was read the third time at length and passed—yeas 36, nays 33.

Yeas—Messrs. Speaker, Benners, Bevis, Bogart, Brown, Cochrane, Cunningham, George, Hogue, Hundley, Johnson, Ledyard, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElderry, McLeod, McRee, NeSmith, Nisbet, Pettus, Pitts, Porter, Posey, Powell, Pratt, Sowell, Smaw, Smith, Williams, Woolf, White of Dallas, White of Geneva—36.

Nays—Messrs. Adams, Bolton, Blevins, Carter, Clements, Cornelius, Darby, Dark, Dupree, Files, Fitzpatrick, Higgins, Kemp, King, Lee, Long, Mancill, McLendon, Nelson, Paine, Patton, Rabb, Rattray, Russell, Simmons, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Winston—33.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 22. To amend an act to release the Tennessee and Coosa Railroad Company from its indebtedness to the State of Alabama.

s. 301. To amend the charter of the Age-Herald company,

to ratify and confirm all its acts and doings under said charter, to ratify and confirm the issue by it of preferred stock, and to confer upon it additional powers.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing senate message.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By leave, by Mr. Pitts—

H. B. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bogart, Bolton, Blevins, Bradley, Carter, Cochrane, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Lee, Lewis, Lowe, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Russell, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Tatum, Wade, Walker, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—62.

By Mr. Cornelius—

H. B. 735. To ratify and confirm the charter of the Jasper Land company, of Jasper, Alabama.

The bill was read the third time at length and passed—yeas 56, nays 1.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, Meador, Miller, Mosely, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Pettus, Pitts, Porter, Posey, Powell, Russell, Simmons,

Sowell, Smith, Stansel, Stone, Wade, Walker, Webb, Winston, White of Dallas, White of Geneva—56.

Mr. Johnson voted no—1.

By Mr. Posey—

H. B. 974. For the relief of R. G. Allen, as administrator of W. G. Allen, deceased, late sheriff of Clarke county.

Mr. McLeod offered the following amendment :

Strike out "required," and insert the word "empowered," in first section.

The amendment was adopted.

The bill was read the third time at length and passed—yeas 56, nays 1.

Yeas—Messrs. Speaker, Arrington, Bogart, Blevins, Bradley, Cochraue, Cornelius, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maley, Miller, Moseley, McEldery, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Rabb, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Walker, Webb, White of Dallas—56.

Mr. Johnson voted no—1.

By Mr. George—

H. B. 423. To prohibit the taking up or bearing arms by any person, persons or body of men in a military capacity unless authorized by law.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bolton, Blevins, Bradley, Cochrane, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Hogue, Hundley, Johnson, Kemp, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Walker, Watters, Weaver, Webb, Wiley, Woolf, White of Dallas, White of Geneva—58.

By Mr. Miller—

s. 267. To amend section three (3) of an act entitled "an act to amend section two (2), and section sixteen (16) of an act to incorporate the town of Livingston, in Sumter county, approved January 25, 1867, and to amend section one (1) of 'an act to define the corporate limits of the town of Livingston in Sumter county, Alabama, approved February 24, 1872,' approved January 16, 1877.



The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Cornelius, Darby, Dark, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Pettus, Porter, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Stansel, Stone, Walker, Watters, Weaver, Webb, Wiley, Woolf, White of Dallas, White of Geneva—57.

By Mr. Long—

s. 373. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

The bill was read the third time at length and passed—yeas 53, nays 3.

Yeas—Messrs. Speaker, Arrington, Benners, Bevis, Bogart, Blevins, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, NeSmith, Nisbet, Porter, Posey, Powell, Pratt, Sowell, Smaw, Smith, Stansel, Stone, Walker, Ward, Watters, Weaver, Webb, Woolf, White of Dallas, White of Geneva—53.—

Nays—are Messrs. Adams, French and McLeod—3.

#### RESOLUTION.

By leave—

Mr. Lowe offered the following resolution :

*Be it Resolved*, That the house proceed to consider the general bills upon the calendar ;

Which, on motion of Mr. Hogue, was laid upon the table.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has originated and passed the following bills, and ordered the same forthwith to the house :

- s. 271. To amend section 981 of the Code.
- s. 385. To amend section 149 of the Code.
- s. 404. To incorporate the Mobile and Eastern Shore Railway and Navigation Company.
- s. 415. To incorporate the Alabama Investment and Security Company.
- s. 466. To require the clerk of the circuit court of Jefferson county, in this State, to index the several records and books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.
- s. 274. To incorporate the Southern Guaranty Company.
- s. 461. To incorporate the city of Fort Payne, in the county of DeKalb, Alabama.
- And non-concurs in the house amendment to
- s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows:

- s. 271, to education.
- s. 385, to agriculture.
- s. B.'s 404, 415, 461, 274, to corporations.
- s. 466, to judiciary.

On motion of Mr. Pitts, the house insisted on its amendment to

- s. 177, and asked for a committee of conference.

Committee on the part of the house: Messrs. Pitts, Petrus and Henderson.

Mr. White, of Dallas, moved to adjourn till 9:30 a. m. Monday.

Lost.

Yeas 37, nays 39.

Yeas—Messrs. Adams, Arrington, Benners, Bolton, Blevins, Brown, Clark, Cunningham, Files, Fitzpatrick, French, George, Kemp, Lee, Long, Maddox, Miller, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Powell, Pratt, Rabb, Rattray, Russell, Sowell, Summers, Smith, Stansel, Stone, Walker, Watters, White of Dallas—37.

Nays—Messrs. Speaker, Bevis, Bogart, Bradley, Carter, Cochrane, Cornelius, Darby, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Lay, Ledyard, Lewis, Longshore, Lowe, Mancill, Maley, Meador, Moseley, McElderry, McLendon, Pitts, Posey, Simmons, Smaw, Wade, Ward, Weaver, Webb, Wiley, Williams, Winston, Woolf—39.

#### NOTICE OF RECONSIDERATION.

Mr. Clements gave notice that on Monday next he would move to reconsider the vote by which s. 209 was passed to-day.

#### CONFERENCE REPORT.

Mr. Johnson, from a conference committee, submitted the following report :

*Mr. Speaker:*

The committee of conference on the disagreement of the two houses of the general assembly as to the senate amendments to the bill—

H. B. 98. A bill to be entitled an act to provide for a vote of the people on the subject of a permanent location of the county site of Blount county,

Have had the same under consideration and recommend that the house concur in the senate amendments to said bill, with the following amendment, viz :

After the word "Onconto" in the senate amendment, add the words, "Blount Springs, Bangor and Chepultepec."

WILLIAM E. SKEGGS,

N. STALLWORTH,

W. W. HARALSON,

Conferees on part of senate.

S. H. C. JOHNSON,

JOHN S. MADDOX,

JOHN T. WINSTON,

Conferees on part of house.

The foregoing report of the committee of conference was concurred in—

Yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clements,

Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Maley, Meador, Miller, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—61.

#### CONFERENCE REPORT.

Mr. Porter, from a conference committee, submitted the following report:

*Mr. Speaker:*

The committee of conference, to which was referred the disagreement of the two houses on the senate amendments to the bill,

H. B. 504. To establish the city court of Anniston,

Has had the same under consideration, and recommend that the house concur in the senate amendments to said bill.

L. W. GRANT,  
N. STALLWORTH,  
B. M. HUEY,  
Of the Senate.

M. A. PORTER,  
G. C. WILLIAMS,  
N. N. CLEMENTS,  
Of the House.

The foregoing report of the committee of conference was concurred in—

Yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bevis, Bogart, Blevins, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meader, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smith, Stansel, Stone, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas—67.

## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 16, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills 20, 215, 311, 482, 287.

THOS. H. CLARK,  
Recording Secretary.

## ADJOURNMENT.

Mr. Porter moved to adjourn till Monday next at 9:30 a. m.

Carried.

Yeas 40, nays 38.

Yeas—Messrs. Adams, Arrington, Benners, Bolton, Brown, Clark, Cornelius, Cunningham, Dupree, Files, Fitzpatrick, French, George, Johnson, Kemp, Lay, Lee, Long, Maley, Miller, McElderry, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Rabb, Rattray, Russell, Sowell, Smaw, Smith, Stansel, Stone, Walker, Watters, White of Dallas—40.

Nays—Messrs. Speaker, Bevis, Bogart, Blevins, Bradley, Carter, Clements, Cochrane, Darby, Dark, Hampton, Henderson, Higgins, Hogue, Hundley, King, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Meador, Moseley, McLendon, Pitts, Powell, Pratt, Simmons, Summers, Smisson, Ward, Weaver, Webb, Wiley, Williams, Winston, Woolf—38.

The above vote was verified by the clerk;

And the house stood adjourned till 9:30 a. m., Monday next.

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FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,

Monday, February 18, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Cornelius of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Ar-

rington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—91.

The journal of Saturday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Messrs. Barnett indefinitely, Stowers and McElderry for to-day and to-morrow.

#### RECONSIDERATION.

Mr. Sowell moved to reconsider the vote by which s. 209 was passed on Saturday.

Mr. Porter moved to lay the motion upon the table.  
Carried.

#### BILLS ON THIRD READING.

By leave, Mr. McRee called up

H. B. 892. To incorporate the Lowndes Rifles, Company D, 1st Regiment Alabama State troops.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bolton, Bush, Brown, Carter, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Higgins, Hogue, Kemp, King, Lay, Ledyard, Lee, Long, Lowe, Maley, Miller, Moseley, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Pratt, Simmons, Smaw, Stansel, Stone, Walker, Ward, Weaver, Webb, Williams, Winston, White of Geneva—53.

Mr. Clements called up, by leave,

s. 422. To incorporate the Gulf and Chicago Railroad Company, and to further the construction of the same.



The bill was read the third time at length and passed—yeas 59, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bolton, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, King, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Pratt, Stansel, Stone, Tatum, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas—59.

Nays—Messrs. Benners, Lowe—2.

#### SPECIAL ORDERS.

##### *First.*

H. B. 901. To regulate the hiring and working of persons convicted of a misdemeanor.

Mr. Hogue offered the following amendment, which was adopted: Provided, the provisions of this act shall not go into effect till January 1, 1890.

The bill was read the third time at length and passed—yeas 59, nays 16.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Bourdeaux, Bush, Blevins, Brown, Clark, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLendon, McRee, Nelson, NeSmith, Porter, Posey, Rabb, Russell, Simmons, Summers, Stansel, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas—59.

Nays—Messrs. Arrington, Bradley, Carter, Clements, George, Longshore, Miller, McLeod, Nisbet, Paine, Patton, Powell, Smaw, Stone, Watters, Woolf—16.

#### MESSAGE FROM THE SENATE.

##### *Mr. Speaker:*

The senate has passed,

H. B. 932. To incorporate Pleasant Hill Academy, Pleasant Hill, Alabama.

H. B. 810. To provide for the election of township trustees of public schools by a vote of the people in the counties of Cullman, Blount, Lawrence and Covington.

H. B. 856. To authorize and empower the commissioners court of Shelby county to appropriate \$3,000 to aid the free public schools of said county.

H. B. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome & Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

H. B. 736. To authorize the commissioners of Washington and Mobile counties to fix the boundary line between said counties.

H. B. 813. To repeal an act entitled an act to prevent the sale, giving away, or otherwise disposing of any spirituous or vinous liquors within the limits of Fayette county.

H. B. 497. To create Covington county into the sixteenth chancery district of the southern chancery division.

H. B. 845. To incorporate and establish a charter for Childersburg.

And accedes to the request of the house for a committee of conference on

s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

And recedes from its amendment to

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

And concurs in the report of the conference committee on the bill,

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

And has amended, as therein shown, and as amended has passed,

H. B. 614. To create a new charter for the city of Florence.

H. B. 773. To amend an act to establish and incorporate the Scott Academy at Scottsboro, in Jackson county, approved February 16th, 1883.

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb.

And non-concurs in the house amendments to—

s. 209. To incorporate the city of Tuscaloosa, approved

March 12th, 1873, by amending section one of said act so as to extend the boundary lines of said city.

And has originated and passed the following bills :

s. 225. To prescribe the time of holding the circuit court of Morgan county, Alabama.

s. 445. To amend the charter of the Jacksonville Mining and Manufacturing company, a corporation organized under the general incorporation laws.

s. 444. To amend section one of an act entitled an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885.

s. 391. To amend an act entitled an act to incorporate the city of Sheffield, in the county of Colbert, approved February 17, 1885, and to confer additional powers and duties on the city council of the said city of Sheffield.

s. 447. To amend section two of an act entitled an act to require judges of the circuit courts, judges of city courts, and judges of the inferior courts, having criminal jurisdiction, to fix the amount of bail required of a defendant in every case as soon as the indictment is filed in court, approved February 28th, 1887.

s. 327. To authorize and require the register in chancery of the chancery district, composed of the county of Crenshaw, to act as probate judge in said county in reference to an executorship, administration, or guardianship, when the probate judge is incompetent under the provisions of section 647 of the Code.

s. 449. To incorporate the Paint Rock River Improvement company and define the powers and privileges of the same.

s. 384. To amend section 1759 of the Code.

And ordered the last mentioned bill forthwith to the house without engrossment.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 384, 327, 225, 444, 447, to judiciary.

s. 391, 445, 449, to corporations.

On motion of Mr. Clements, the house insisted on its amendments to s. 209, and requested a committee of conference.

Committee on the part of the house, Messrs. Clements, Cochrane, and White of Dallas.

On motion, the house concurred in the first senate amendment to—

H. B. 614, the title of which is set out in the foregoing senate message.

Yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Brown, Carter, Clark, Cochrane, Cunningham, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Lee, Lewis, Longshore, Lowe, Mancill, Maley, Moseley, McLendon, Nelson, NeSmith, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Tatum, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, White of Dallas—62.

Also concurred in the second senate amendment to said house bill 614.

Yeas 51, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Cunningham, Dark, Dupree, Files, Fitzpatrick, French, Hampton, Hogue, Hundley, Johnson, Kemp, King, Lay, Lee, Lewis, Long, Lowe, Maley, Meador, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Porter, Powell, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Winston—51.

Also concurred in the senate amendment to—

H. B. 773, the title of which is set out in foregoing senate message.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cunningham, Darby, Dark, Dupree, Dykes, Files, Fitzpatrick, French, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pitts, Porter, Posey, Pratt, Russell, Simmons, Sowell, Smaw, Smisson Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—63.

And concurred in the senate amendments to—

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Bogart, Bourdeaux, Blevins, Brown, Clements, Cochrane, Cunningham, Darby, Dark, Denson, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Meador, Miller, Moseley, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Pratt, Rabb, Sowell, Smaw, Smith, Stansel, Stone, Wade, Walker, Watters, Webb, Williams, Woolf, White of Dallas—54.

The house resumed consideration of the—

#### SPECIAL ORDERS.

##### *Second.*

H. B. 145. To create a convict labor reform commission, for the purpose of investigating how best to employ the convicts in this State other than by the contract system, and what improvements in the commitment, custody and employment, management and discipline of convicts should be adopted, and to make an appropriation to pay the expenses thereof.

Mr. Arrington moved to table the bill and amendments. Carried.

Yeas 42, nays 31.

Yeas—Messrs. Adams, Allen, Arrington, Bourdeaux, Blevins, Bradley, Carter, Clark, Clements, Cunningham, Darby, Davie, Denson, Dupree, Dykes, French, Hampton, Johnson, Kemp, Lee, Maddox, Mancill, Miller, McLendon, Nelson, Nisbet, Paine, Pitts, Powell, Rabb, Russell, Sowell, Smaw, Stansel, Stone, Walker, Watters, Weaver, Williams, Winston—42.

Nays—Messrs. Speaker, Benners, Bogart, Bolton, Brown, Cornelius, Files, Fitzpatrick, Henderson, Higgins, Hogue, Hundley, King, Lay, Ledyard, Lewis, Long, Longshore, Lowe, McLeod, Patton, Porter, Posey, Rattray, Simmons, Summers, Smisson, Smith, Tatum, Williams, Winston, White of Dallas—31.

## INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Clements—

H. B. 1020. To fix the rate of taxation in this State.

By Mr. Dark—

H. B. 1021. To amend section 11 of an act to provide for the publication and distribution of the Code, approved February 21, 1887, so as to include notaries public.

Mr. White of Dallas, (by request)—

H. B. 1022. To amend an act entitled an act to incorporate the city of Wetumpka, approved January 30, 1887.

Also, by request—

H. B. 1023. To authorize and require the sheriff of Elmore county to receive in the county jail all persons arrested or convicted for a violation of the ordinances of the city of Wetumpka.

By Mr. Fitzpatrick—

H. B. 1024. To amend an act to fix the fees of justices of the peace and constables in the county of Montgomery, approved March 1, 1881.

By Mr. Longshore—

H. B. 1025. To provide for the permanent improvement of the public roads of Shelby county.

By Mr. Knight—

H. B. 1026. Regulating the application of the sixteenth section fund in township 19, range 5, in Hale county, Alabama.

By Mr. Rabb—

H. B. 1027. To preserve order at the Douglassville camp ground in the county of Escambia.

The foregoing bills were severally read one time and referred to committees as follows:

H. B. 1020, to special committee, consisting of Messrs. Lay, Clements and Hogue.

H. B's 1021, 1022, 1023, to judiciary.

H. B. 1024, to fees and salaries.

H. B. 1025, to revision of laws.

H. B. 1026, to education.

H. B. 1027, to a special committee, consisting of Messrs. Rabb, Lee and Kemp.

## RESOLUTIONS.

Mr. Lay offered the following resolutions:

*Whereas*, the congress of the United States, by the fourth



section of an act, approved July 4th, 1836, entitled "an act to carry into effect in the States of Alabama and Mississippi, the existing compact with those States in regard to the five per cent. fund and the school reservation," authorized the selection by the State of Alabama, of a quantity of lands equal to one thirty-sixth of the lands ceded by the Chickasas Indians by the treaty of 20th October, 1832, for school purposes; the time and manner of selection and location of which lands was subsequently extended and modified by the act of congress, approved March 3, 1847.

*And whereas*, the location of these lands was attempted in the States of Louisiana and Arkansas, but the title thereto was not perfected in the State of Alabama;

*And whereas*, the time within which the title to said lands could be perfected has expired, and the State has never received any benefit from said grant; now, therefore,

*Be it resolved by the General Assembly of Alabama*, That our senators in congress be instructed, and our representatives requested, to secure such legislation in the congress of the United States as will enable the State to select and secure the quantity of lands to which it is entitled under said grant.

*Be it further resolved*, That the governor be requested to send a copy of this resolution to each senator and representative from Alabama in the congress.

Adopted.

Also,

*Whereas*, by the act of congress, approved May 23d, 1828, there was granted to the State of Alabama, for the purpose of improvement of navigation at the Muscle Shoals, and Colbert Shoals of the Tennessee river, the proceeds of which were applied in accordance with said act to said improvements; and whereas, by the provisions of the 8th section of the act of congress, approved September 4th, 1841, entitled an act to appropriate "the proceeds of the sales of public lands and to grant preemption rights," there was granted to the State of Alabama and other States named in said act 500,000 acres of land for the purposes of internal improvement, and by the act of congress, approved August 11th, 1848, the State of Alabama was authorized to apply the proceeds of said grant to school purposes; And whereas, there was deducted from said grant of 500,000 acres the 400,000 acres, which had been previously granted for and applied to the improvement of said Muscle Shoals and Colbert Shoals; And whereas, said improvements were

national in their character, and not "internal" as to the State of Alabama, and have since been undertaken by the government of the United States.

*Now, therefore, be it resolved by the general assembly of Alabama,* That our senators in congress be instructed and our representatives be requested to use their efforts to secure such action on the part of the congress as will enable the State to receive, for the purposes of education, the 400,000 acres deducted from the quantity granted by the act of September 4th, 1841.

*Be it further resolved,* That the governor be requested to send a copy of this resolution to each senator and representative from Alabama, in the congress.

Adopted.

Mr. Shorter, (Mr. Clements) in the chair, from committee on rules, submitted the following report:

Rule No. 54.

Commencing Monday, February 18th, and for three days, house bills in their order upon the calendar, shall be called.

Commencing February 21st, senate bills in their order upon the calendar shall be called.

Nothing in this rule shall effect special orders now made. To change this rule, requires unanimous consent.

Which, on motion of Mr. Hogue, was laid on the table.

Mr. White of Dallas, offered the following resolution :

*Resolved,* That during the remainder of this session the house shall meet at 9:30 a. m. and adjourn at 1:30 p. m.; re-assemble at 3 p. m.; adjourn at 6 p. m.; re-assemble at 8 p. m. and adjourn at will.

The resolution was referred to the committee on rules.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Stone, from the judiciary committee, reported favorably to following bills:

s. 323. To amend section 1251, (1495) and section 1252, (1496) of the Code.

H. B. 999. For the preservation of game animals and birds in the county of Greene.

Mr. White of Dallas, from the committee on appropriations, reported favorably to the bill

H. B. 857. To pay I. W. Portis and James Cobbs, for professional services rendered the State of Alabama, in the case of the State of Alabama vs. Z. T. Clements and his securities in Washington county circuit court.

Mr. Nisbet, from the committee on agriculture, reported favorably, with amendment to the bill.

s. 385. To amend section 149 of the Code.

Mr. Simmons, from the committee on local legislation, reported favorably to the bill,

s. 371. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of said railroad.

Mr. Stansel, from committee on revision of laws, reported favorably to the following bills:

H. B. 1005. To incorporate the Tuskegee, Tallassee & Sylacauga Railroad Company, and to further the construction of said railroad.

Also,

H. B. 1007. To amend sections two (2), three (3), five (5), seven (7) and twenty (20) of an act entitled an act to establish a new charter for the city of Gadsden, approved January 27, 1883.

Also,

H. B. 1018. To authorize the county commissioners of Monroe county to levy a special tax of one-fifth of one per cent. for bridge purposes.

With substitute for

H. B. 38. To establish a branch agricultural experimental station and branch agricultural school in North Alabama.

Mr. Simmons, from committee on local legislation, reported the following favorably:

H. B. 339. To fix the time of holding the spring and fall terms of the chancery courts of Cherokee and Cleburne counties;

With substitute therefor.

Mr. Sowell moved that

H. B. 980. To authorize the mayor and aldermen of Elkmont, in Limestone county, to license, regulate, restrain, or prohibit the sale of liquors in that town;

Be taken from the adverse calendar and read a second time.

Carried, and bill read a second time.

Mr. Lowe, from the committee on corporations, reported favorably to the bills,

s. 454. To incorporate the American Coal Company.

s. 375. To amend section 17 of an act to incorporate the city of Calera, in the county of Shelby, approved February 24, 1887.

Mr. Davie, from the committee on public health, reported favorably to the bill,

s. 189. To amend section 4078 of the Code.

Mr. Henderson, from a special committee, reported favorably to the bill,

H. B. 1017. To amend section one of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

The foregoing bills were severally read a second time and placed on the calendar.

#### CONFERENCE REPORT.

*Mr. Speaker :*

The committee to which was referred the disagreement of the two houses on senate bill 177, respectfully recommend that the house recede from its amendment.

A. D. PITTS,

F. L. PETTUS,

Com. on part of House.

E. A. GRAHAM,

W. E. SKEGGS,

W. H. TAYLOE,

Com. on part of Senate.

The foregoing report of the committee of conference was concurred in.

Yeas 55, nays 14.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Bolton, Bush, Brown, Carter, Clark, Cochrane,  
Cunningham, Darby, Davie, Files, Fitzpatrick, Hampton,  
Higgins, Johnson, Kemp, King, Long, Longshore, Lowe,  
Maddox, Mancill, Moseley, McLendon, McLeod, McRee,  
NeSmith, Nisbet, Paine, Pitts, Porter, Posey, Powell, Pratt,  
Rabb, Russell, Simmons, Sowell, Smaw, Smisson, Smith,  
Stansel, Stone, Tatum, Walker, Ward, Weaver, Williams,  
Wolf, White of Dallas, White of Geneva—55.

Nays—Messrs. Dark, Denson, Dupree, Dykes, French,  
Henderson, Hogue, Hundley, Maley, Nelson, Patton, Wade,  
Webb, Winston—14.

The house resumed consideration of

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Pratt—

H. B. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river, at or near the city of Montgomery, and to authorize the board of revenue of Montgomery and Autauga counties, severally, to issue bonds to pay for the same.

The substitute offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 51, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bogart, Bolton, Blevins, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Darby, Dark, Fitzpatrick, George, Higgins, Hogue, Hundley, Kemp, King, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLendon, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Woolf, White of Geneva—51.

Nays—Messrs. Dykes, Henderson, Johnson—3.

By Mr. Maddox—

s. 247. To fix the time of holding the circuit courts in the several counties composing the seventh judicial circuit.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bogart, Bolton, Bush, Bradley, Carter, Clark, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rabb, Sowell, Smaw, Smith, Stansel, Stone, Walker, Ward, Watters, Weaver, Williams, Woolf, White of Dallas, White of Geneva—62.

By Mr. Bush—

H. B. 716. To amend section 3217 of the Code.

The bill was read the third time at length and passed.

Yeas 54, nays 0.

Yeas—Messrs. Adams, Anderson, Arrington, Bogart, Bush, Blevins, Bradley, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hogue, Hundley, Kemp, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Meador, Moseley, McLendon, McLeod, Nelson, NeSmith, Paine, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smith, Stan-

sel, Stone, Wade, Walker, Ward, Weaver, Williams, White of Dallas, White of Geneva—54.

By Mr. Davie—

H. B. 756. To amend an act entitled an act for the protection of animals and game in the counties of Hale, Cullman and Greene, approved February 26, 1887, so far as the same applies to Hale county.

The bill was read the third time at length and passed—yeas 51, nays 6.

Yeas—Messrs. Speaker, Allen, Benners, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Fitzpatrick, French, George, Hampton, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Longshore, Lowe, Mancill, Meador Moseley, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Powell, Pratt, Simmons, Sowell, Smith, Stone, Wade, Walker, Williams, Winston, White of Geneva—51.

Nays—Messrs. Adams, Arrington, Bourdeaux, Dupree, Dykes, Maddox—6.

By Mr. Adams—

s. 2. In relation to the sale of cotton and other produce by factors, commission merchants, warehousemen, and other persons who sell the same.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 59, nays 9.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, French, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lewis, Long, Longshore, Lowe, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Paine, Pettus, Powell, Simmons, Sowell, Summers, Smaw, Smith, Stansel, Stone, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, White of Geneva—59.

Nays—Messrs. Benners, Cochrane, Hardy, Lay, Ledyard, Pettus, Porter, Pratt, White of Dallas—9.

By Mr. Shorter, Mr. Pettus in the chair—

s. 285. To provide for the payment for official service of the sheriff of Barbour county for services rendered not otherwise provided for.

The bill was read the third time at length and passed—yeas 76, nays 0.



Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Knight, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Meador, Miller, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—76.

By Mr. Johnson—

H. B. 432. To protect laborers and persons who furnish material for the construction of railroads.

The bill was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Ledyard, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Walker, Ward, Webb, Williams, Winston, Woolf, White of Geneva—66.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate accedes to the request of the house for a committee of conference on

s. 209. To incorporate the city of Tuscaloosa, approved March 12, 1873, by amending section 1 of said act so as to extend the boundary lines of said city.

Committee on the part of the senate—Messrs. Handley, Inge and Almon,

And has concurred in the report of the conference committee on the bill,

s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

W. L. CLAY,  
Secretary.

The house resumed consideration of

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Powell—

H. B. 907. To amend an act entitled an act for the protection of lands and plantations from depredations of stock in Bullock county, approved December 8, 1880.

The bill was read the third time at length and passed—yeas 59, nays 16.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Bourdeaux, Bush, Blevins, Brown, Clark, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLendon, McRee, Nelson, NeSmith, Porter, Posey, Rabb, Russell, Simmons, Summers, Stansel, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas—59.

Nays—Messrs. Arrington, Bradley, Carter, Clements, French, George, Longshore, Miller, McLeod, Nisbet, Paine, Patton, Powell, Smaw, Stone, Watters—16.

By Mr. Stowers—

H. B. 830. To amend section 3683 of the Code of Alabama.

Pending consideration the hour of 1:30 p. m. arrived, and the house stood adjourned till 3 p. m. to-day.

## AFTERNOON SESSION.

The house reassembled at 3 p. m.

A quorum was present.

## BILLS ON THIRD READING.

The house resumed consideration of—

H. B. 830. To amend section 3683 (5028) of the Code of Alabama.

The bill was read the third time at length and passed—yeas 50, nays 7.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Bolton, Brown, Clements, Dark, Dupree, Files, Fitzpatrick, George, Hampton, Hardy, Hogue, Johnson, Knight, Ledyard, Lowe, Maddox, Mancill, Meador, Miller, Moseley, McLendon, McLeod, McRee, NeSmith, Nisbet, Pettus,

Pitts, Porter, Powell, Rabb, Rattray, Simmons, Sowell, Smisson, Stansel, Stone, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf—50.

Nays—Messrs. Adams, Dykes, French, Long, Maley, Nelson, White of Geneva—7.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has concurred in the report of the committee of conference on the bill,

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

And has passed—

H. B. 810. To provide for the election of township trustees of public schools, by a vote of the people, in the counties of Cullman, Blount and Covington.

W. L. CLAY,  
Secretary.

The house resumed consideration of—

#### BILLS ON THIRD READING.

Bills were called up as follows:

By Mr. Hogue, (by leave)—

s. 465. To cede to the United States for a limited time, jurisdiction over the site for the erection of United States government buildings in the city of Birmingham.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Blevins, Brown, Clements, Cunningham, Dark, Denson, Dupree, Dykes, French, Hardy, Henderson, Higgins, Hogue, Johnson, King, Knight, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Pitts, Porter, Powell, Rabb, Rattray, Simmons, Sowell, Smith, Stansel, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—52.

By Mr. Webb, (by leave)—

H. B. 791. To incorporate the trustees of the Indigent Ministers' Fund of the Coosa River Baptist Association.

The bill was read the third time at length and passed—yeas 67, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clark, Clements, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Files, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Powell, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Walker, Ward, Weaver, Webb, Williams, Winston, White of Geneva—67.

By Mr. Meador—

H. B. 783. For the relief of Thos. H. Skinner, S. G. Woolf, C. F. Compton and T. M. Witherspoon.

The bill was read the third time at length and passed—yeas 51, nays 19.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Higgins, Kemp, King, Knight, Ledyard, Lee, Lewis, Meador, Miller, McLeod, McRee, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Rattray, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Watters, Williams, White of Dallas, and White of Geneva—51.

Nays—Messrs. Blevins, Clements, French, Hogue, Hundley, Johnson, Lay, Long, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, Nelson, NeSmith, Powell, Walker, Winston—19.

By Mr. King—

H. B. 778. To authorize the sale of spirituous, vinous, malt liquors, intoxicating bitters, fruits or beverages, within the corporate limits of the city of Greenville, Butler county, Alabama.

The bill was read the third time at length and lost—yeas 28, nays 57.

Yeas—Messrs. Speaker, Anderson, Bevis, Brown, Clark, Clements, Cochrane, Cornelius, Cunningham, Dykes, Files, Hundley, Johnson, King, Lewis, Long, Lowe, Mancill, Paine, Parker, Pitts, Pratt, Rattray, Russell, Summers, Smisson, Watters, Winston—28.

Nays—Messrs. Adams, Allen, Benners, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Dark, Davie, Denson, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Lay, Ledyard, Lee, Longshore, Maddox, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Posey, Powell, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—57.

By Mr. Williams—

s. 246. To incorporate the Jacksonville, Williamsport, and Anniston Railway company.

The bill was read the third time at length and passed—yeas 52, nays 2.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Johnson, Knight, Ledyard, Lee, Long, Longshore, Lowe, Maddox, Meador, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Porter, Smith, Stansel, Stone, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—52.

Nays—Messrs. Files, and Hogue—2.

By Mr. Maley—

H. B. 399. To relieve William E. Jones, of Chambers county, Alabama, from the disabilities of non-age.

The bill was read the third time at length and passed—yeas 51, nays 4.

Yeas—Messrs. Adams, Allen, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clark, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, King, Lay, Ledyard, Lee, Long, Longshore, Maley, Meador, Moseley, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Simmons, Smisson, Stansel, Stone, Wade, Weaver, Webb, White of Geneva—51.

Nays—Messrs. Benners, Pettus, Porter, Smith—4.

By Mr. Denson—

H. B. 177. To amend section 2756 of the Code of 1886.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley,

Brown, Clements, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Files, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Weaver, Webb, Williams, White of Dallas—61.

By Mr. Rattary—

H. B. 970. To create the office of cotton weigher of Lime-stone county, to provide for filling the same and to prescribe the duties and compensation thereof.

The bill was read the third time at length and passed—yeas 64, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bolton, Blevins, Brown, Carter, Clark, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Posey, Pratt, Simmons, Sowell, Summers, Smaw, Stansel, Stone, Webb, Wade, Walker, Weaver, Williams, Winston, White of Dallas, White of Geneva—64.

Nays—Messrs. Bourdeaux, Files, Hogue—3.

By Mr. Dykes—

H. B. 527. To amend the charter of the Shelby Iron Company.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Carter, Clark, Cochran, Cornelius, Cunningham, Darby, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Knight, Lee, Longshoe, Maley, Meador, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Porter, Posey, Pratt, Rattary, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—56.

By Mr. Watters—

s. 7. To incorporate the Anniston Water Supply Company.

The bill was read the third time at length and lost—yeas 31, nays 44.



Yeas—Messrs. Allen, Barnett, Bogart, Bolton, Clements, Cochrane, Davie, Dupree, Fitzpatrick, Hampton, Henderson, Johnson, Ledyard, Lewis, Maddox, Miller, Moseley, Nelson, Patton, Porter, Smaw, Smisson, Stansel, Stone, Wade, Ward, Watters, Williams, Winston, Woolf—31.

Nays—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bourdeaux, Bush, Blevins, Brown, Carter, Clark, Cornelius, Cunningham, Dark, Denson, Dykes, French, George, Hardy, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Lee, Lowe, Mancill, Maley, Meador, McLendon, McLeod, Nisbet, Parker, Pettus, Posey, Powell, Pratt, Rabb, Simmons, Walker, Weaver, Webb, White of Dallas, White of Geneva—44.

Mr. Lowe gave notice that on to-morrow morning he would move to reconsider the vote by which the bill just lost was lost.

By Mr. McLeod—

H. B. 975. For the relief of Virginia Carter, as administratrix of David Carter, deceased, late sheriff of Clarke county.

The bill was read the third time at length and passed—yeas 60, nays 3.

Yeas—Messrs. Benners, Bevis, Bogart, Bolton, Bush, Blevins, Carter, Clark, Cunningham, Darby, Davie, Denson, Dupree, Fitzpatrick, French, George, Hampton, Henderson, Hogue, Hundley, Knight, Lay, Ledyard, Lee, Lewis, Long, Lowe, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Rabb, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

Nays—Messrs. Dykes, Johnson, Maddox—3.

By Mr. Allen—

s. 308. To authorize the Macon and Birmingham Railroad Company, a corporation under the laws of Georgia, to construct, maintain, and operate its railroad within the State of Alabama, and do all things needful for that purpose.

Discussion on the bill having lasted for 10 minutes the bill, under the rules, went back on the calendar.

By Mr. Williams—

H. B. 815. To incorporate the Piedmont College in the town of Piedmont, in the county of Calhoun, and State of Alabama.

Mr. Williams moved to amend by striking out "college" and inserting "high school."

Carried.

The bill was read the third time at length and passed—yeas 69, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Ledyard, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Powell, Pratt, Rattray, Simmons, Sowell, Smaw, Smisson, Stansel, Stone, Wade, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—69.

By Mr. Simmons—

H. B. 512. To amend an act to create a separate school district in Coffee county, Alabama, and define the boundaries thereof, approved December 11, 1886.

The bill was read the third time at length and passed—yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, French, Hampton, Hardy, Henderson, Higgins, Hogue, Johnson, Knight, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Moseley, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Pratt, Rattray, Simmons, Summers, Smaw, Smisson, Stansel, Stone, Wade, Walker, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

By Mr. Summers—

s. 348. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal Company of Alabama.

The bill was read the third time at length and passed—yeas 63, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McLendon, McLeod, Ne-

Smith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

Nays—Messrs. Denson and Hogue—2.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested :

- s. 179. To amend section 157 of the Code.
- s. 180. To amend section 159 of the Code.
- s. 229. To incorporate the Birmingham Female College.
- s. 336. To amend section 677 of the Code.
- 355. To prohibit stock from running at large in a part of beat 7, in Lee county, Alabama.
- s. 333. To change the mode of paying the judge of probate in the county of Lowndes.
- s. 334. To dispose of the fees, commissions and allowances or salary allowed by law to the judge of probate in the county of Lowndes.
- s. 87. To authorize members of the different farmers' alliances, or other organizations of like kind of the State, to organize themselves into a body corporate.
- s. 259. To incorporate the Fidelity Mortgage and Trust Company of Alabama.
- s. 220. To provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile.
- s. 199. To repeal an act to raise a fund for the benefit of the fire companies of the city of Mobile.
- s. 368. To allow the hunting and killing of deer in certain portions of Perry county.
- s. 238. To relieve John Sanders, a minor, in the county of Monroe, of all the disabilities of a minor.
- s. 86. For the removal of the State Normal School and University for colored students from Marion, Perry county, to change its name to the State Normal School for Colored Students, and to provide for the control and maintenance of the same.
- s. 233. To regulate the trials of misdemeanors in Barbour county.
- s. 421. For the relief of the heirs of Daisy Hardie, deceased.

s. 267. To amend section 3 of an act entitled an act to amend section 2 and section 16 of an act to incorporate the town of Livingston, in Sumter county, approved January 25, 1867, and to amend section 1 of an act to define the corporate limits of the town of Livingston, in Sumter county, Alabama, approved February 24, 1872, approved January 16, 1877.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing senate message.

The house resumed consideration of

#### BILLS ON THIRD READING.

Bills were called up as follows:

By Mr. Brown—

s. 159. For the relief of H. R. Robbins, late sheriff of Coosa county.

The bill was read the third time at length and passed—yeas 37, nays 20.

Yeas—Messrs. Allen, Anderson, Arrington, Blevins, Brown, Carter, Cochrane, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Hogue, Ledyard, Longshore, Meador, Moseley, McLendon, McLeod, Patton, Posey, Pratt, Rattray, Sowell, Smaw, Smisson, Stansel, Stone, Wade, Ward, Webb, Williams, Winston, Woolf, White of Geneva—37.

Nays—Messrs. Speaker, Benners, Clements, Cornelius, Cunningham, French, Higgins, Hundley, Lay, Maddox, Mancill, Nelson, NeSmith, Nisbet, Pettus, Porter, Powell, Simmons, Walker and Weaver—20.

By Mr. White, of Dallas, for Mr. Watson, who was absent, s. 264. For the relief of George T. Taylor of Crenshaw county, Alabama.

The bill was read the third time at length and lost—yeas 11, nays 41.

Yeas—Messrs. Brown, Carter, Darby, Dark, Dykes, George, Henderson, Higgins, Moseley, Winston, White of Dallas—11.

Nays—Messrs. Speaker, Adams, Arrington, Benners, Bourdeaux, Blevins, Bradley, Cochrane, Cornelius, Cunningham,

Davie, Denson, Dupree, Hardy, Hogue, Hundley, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, McLendon, McLeod, Nelson, NeSmith, Nisbet, Pettus, Porter, Powell, Simmons, Summers, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, White of Geneva—41.

By Mr. Mancill—

H. B. 637. To repeal an act to protect domestic animals in Covington county against camp hunters.

The bill was read the third time at length and passed—yeas 59, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bourdeaux, Bush, Bradley, Brown, Carter, Cochrane, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McLendon, McLeod, NeSmith, Nisbet, Paine, Patton, Patton, Pettus, Porter, Posey, Powell, Smaw, Smisson, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—59.

Nay—Mr. Simmons—1.

By Mr. Higgins—

H. B. 808. To provide for the more efficient working of the public roads in Cullman county.

Mr. Higgins offered an amendment by way of a substitute, which was adopted.

Mr. Porter moved to recommit the bill to the committee on public roads and highways.

Mr. Pettus moved to lay the bill upon the table.

Lost.

The bill was read the third time at length—

Pending consideration, the hour of 7 p. m. arrived, and the house stood adjourned till 9:30 a. m. to-morrow.

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## FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

Tuesday, Feb. 19, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Ar-

rington, Barnett, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—92.

#### LEAVE OF ABSENCE

Was granted to Messrs. McElderry, Long and Files indefinitely, and to Mr. Pitts, for one day.

#### UNFINISHED BUSINESS.

The house then took up as unfinished business—  
H. B. 808. To provide for the more efficient working of the public roads in Cullman county.

The motion of Mr. Porter to recommit was carried.

#### RECONSIDERATION.

Mr. Lowe moved to reconsider the vote by which—  
s. 7. To incorporate the Anniston Water Supply Company,

Was lost on yesterday.

Carried.

Mr. Pettus moved to recommit the bill to the committee on corporations; that when reported the gentleman from Calhoun, Mr. Williams, shall have the right to put the bill on its passage.

Carried.

By unanimous consent the vote by which

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collections of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens, approved December 28, 1887,



Was passed on February 16th, was reconsidered.

The vote by which the bill was ordered to a third reading was reconsidered.

Mr. Stansel moved to amend the bill by striking out of the caption of the bill the figure 7, and insert in lieu thereof the figure 6.

Carried.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clark, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Johnson, Kemp, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Powell, Pratt, Rattray, Simmons, Smaw, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Winston—55.

#### ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following bills correctly enrolled:

H. B. 690. To regulate the fine and forfeiture fund of Madison county.

H. B. 154. For the relief of the Colored People's Normal School at Montgomery.

H. B. 761. To incorporate the Walnut Grove College, at Walnut Grove, Elmore county, Alabama.

H. J. R. To authorize the sale of two old 1-inch Gatling guns, which are now unserviceable.

H. B. 638. To incorporate the Highland Home College, in Crenshaw county.

H. B. 612. To remove disabilities of non-age of Miss Leila O. Crews of Sumter county.

H. B. 824. To authorize James T. Beck and others to establish a public ferry at Ellis' Landing on the Alabama river, in Wilcox county, Alabama.

H. B. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome & Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

H. B. 536. To incorporate the Western Contract and Construction company of Alabama.

H. B. 329. To amend sections 1, 2 and 3 of an act to regulate the taking up of stock in districts where stock of any kind is prevented by law from running therein, in Wilcox county, approved February 24, 1887.

H. B. 746. To amend the charter of the People's Saving's Bank, a corporation organized in the county of Jefferson, under the general laws of the State of Alabama, so as to change its name to the People's Saving Bank and Trust Company, and so as to confirm in said corporation under the name of the People's Savings Bank and Trust Company, all the rights, powers and privileges that were vested in it under the name of the People's Savings Bank, and so as to enlarge the powers, rights, franchises and privileges of said corporation.

B. M. MILLER,  
Chairman.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate, having signed the following bills, your signature thereto is requested :

s. 226. To amend section 1442 (1678) of the Code of 1886; Provided the same only apply to Marshall county.

s. 465. To cede to the United States, for a limited time, jurisdiction to the United States over the site for the erection of the United States government buildings, in the city of Birmingham, Alabama.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills, and in the foregoing senate message.

#### INTRODUCTION OF BILLS.

By Mr. Lay—

H. B. 1028. To amend an act entitled an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888.

By Mr. Denson—

H. B. 1029. To prescribe and regulate the rights of action for injuries causing death;

Also,

H. B. 1030. To amend section 12 of an act entitled an act to establish a new charter for the town of LaFayette, in the county of Chambers, approved February 25, 1881.

By Mr. Longshore—

H. B. 1031. To appropriate all the money arising from the sale of tags to be attached to fertilizers sold or exchanged in the State of Alabama, except the salaries annually due the commissioner of agriculture and his clerks, to the common school fund.

By Mr. Fitzpatrick, by request,

H. B. 1032. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city, not to exceed five thousand dollars, to aid the county of Elmore in the purchase of the Wetumpka bridge, for the purpose of making the same free to the public.

The foregoing bills were severally read one time and referred to committees as follows:

H. B. 1029, 1032, to judiciary.

H. B. 1030, to a special committee, with leave to report at any time.

H. B. 1031, to revision of laws.

H. B. 1028, to ways and means.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from judiciary committee, reported the following bills favorably:

s. 384. To amend section 1759 of the Code.

H. B. 1022. To amend an act entitled an act to incorporate the city of Wetumpka, approved January 30, 1839.

H. B. 1023. To authorize and require the sheriff of Elmore county to receive in the county jail all persons arrested or convicted for a violation of the ordinances of the city of Wetumpka.

Mr. Lay, from committee on ways and means, reported the following bills favorably:

H. B. 1020. To fix the rate of taxation in this State;

Also,

s. 420. For the relief of Mrs. Louisa Long of Butler county.

Also,

s. 325. To provide for the listing of lands by tax assessors ;

Also,

s. 175. To authorize the court of county revenue of Chilton county to issue bonds of said county, to an amount not exceeding twenty-five thousand dollars, for the purpose of building a court house for said county.

Mr. McLeod, from committee on education, reported the following bills favorably :

s. B. 271. To amend section 981 of the Code;

Also,

s. 418. To authorize and empower the commissioners court of Shelby county to appropriate three thousand dollars per year for the years 1889 and 1890, out of the general funds in the county treasury to aid the free public schools of said county;

Also,

s. 302. To determine and fix the amount of poll tax available each year for school purposes.

Also,

s. 416. To repeal an act to amend section eleven of an act to establish a separate school district, to be known as the Cullman school district in Cullman county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 28, 1887;

Also,

s. 417. To constitute the city of Sheffield a separate school district.

Mr. Rabb, from a special committee, reported favorably to the bill,

H. B. 1027. To preserve order at the Douglassville camp ground, in the county of Escambia.

The foregoing bills were severally read a second time and placed on the calendar.

Mr. Shorter, from the committee on rules, reported favorably the following rule :

Rule 55. The house shall meet at 9:30 a. m ; adjourn at 1:30 p. m. ; reassemble at 3 p. m. ; adjourn at 6 p. m. ; reassemble at 8 p. m. , and adjourn at will.

Which was adopted.

On motion of Mr. Russell,

H. B. 893. To allow T. J. Middlebrook, of Lowndes county, to sell a certain medicine, known and called "Middlebrook's Oil of Life;" also, a medicine known as and

called "Middlebrook's Chill Tonic," in the State of Alabama, without payment of any license;

Was taken from adverse calendar and read a second time.

On motion,

s. 217. For the relief of C. D. Martin and others;

Was recommitted to the committee on ways and means.

#### CONFERENCE REPORT.

*Mr. Speaker :*

The committee of conference on the disagreement of the two houses, on the house amendments to—

Senate bill 209. To amend the act to incorporate the city of Tuscaloosa, approved March 12th, 1873,

By amending section one of said act so as to extend the boundary lines of said city, have had the same under consideration, and respectfully recommend that the house recede from its amendments, and that the two houses concur in the following amendment to the bill, to-wit :

"*Provided further*, That all the taxes which may be assessed and collected on the property of persons residing in the district brought into said corporate limits, shall, for the next two years, be appropriated to improving the streets and side walks, and for police protection, of said extended district, and that no portion of said taxes shall be used to pay the old or existing debts of the present city of Tuscaloosa during said two years."

Respectfully submitted,

W. A. HANDLEY,

W. B. INGE,

G. C. ALMON,

Conferees on the part of the Senate.

N. N. CLEMENTS,

JNO. F. WHITE,

WM. G. COCHRANE,

Conferees on the part of the House.

The foregoing report of the committee of conference was concurred in—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Lay, Ledyard,

Longshore, Lowe, Maddox, Maley, Meador, Moseley, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Patton, Pettus, Perter, Pratt, Ratray, Simmons, Smaw, Smisson, Smith, Stone, Tatum, Wade, Walker, Watters, Weaver, Wiley, Winston, White of Dallas, White of Geneva—63.

## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 19, 1888.

*Mr. Speaker :*

The governor has approved the following bills which originated in the house :

House bills 461, 433, 543, 8, 277½.

THOS. H. CLARK,  
Recording Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has non-concurred in the house amendments to—  
s. 2. In relation to the sale of cotton and other produce by factors, commission merchants, warehouse men, or other persons who sell the same.

And has passed and ordered to the house without engrossment :

s. 480. To incorporate the Orphans' Home of the North Alabama Annual Conference of the Methodist Episcopal Church, South.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bill just received, whose title is set forth in the above and foregoing message, was read once and referred to the committee as follows :

s. 480, to education.

On motion of Mr. Hundley, the house insisted on its amendment to s. 2, title set out in senate message, and asked for a committee of conference.

Committee on the part of the house, Messrs. Stansel, Paine, and Pettus.



## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. White of Dallas, by leave—

H. B. 986. To provide for an additional watchman at the capitol.

The bill was read the third time at length and passed—yeas 42, nays 27.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bush, Brown, Clements, Cochrane, Cornelius, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Knight, Ledyard, Lee, Lewis, Longshore, McLendon, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Smaw, Smith, Stansel, Stone, Tatum, Walker, Webb, Woolf, White of Dallas—42.

Nays—Messrs. Bogart, Bolton, Bourdeaux, Blevins, Bradley, Clark, Darby, Dark, Davie, Dykes, French, Higgins, Johnson, Kemp, Maddox, Mancill, Maley, Nelson, NeSmith, Rattray, Summers, Wade, Ward, Weaver, Williams, Winston, White of Geneva—27.

By Mr. Tatum—

H. B. 430. To amend section one of an act entitled an act for the preservation of game animals and birds, in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same relates to the counties of Mobile and Baldwin.

The bill was read the third time at length and passed—yeas 48, nays 5.

Yeas—Messrs. Allen, Benners, Bradley, Brown, Cornelius, Darby, Dark, Davie, Dupree, George, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Meador, McRee, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Rabb, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Weaver, Woolf, White of Geneva—48.

Nays—Messrs. Bolton, Bourdeaux, Blevins, NeSmith, Summers—5.

By Mr. Lee—

H. B. 635. To enlarge the jurisdiction of justices of the peace in Conecuh county, and to regulate the trial of certain misdemeanors in said county.

Mr. Lee offered an amendment by way of a substitute, which was adopted.

The bill was read the third time at length and passed—yeas 57, nays 1.

Yeas—Messrs. Adams, Allen, Arrington, Bogart, Bolton, Bush, Blevins, Bradley, Carter, Clark, Dark, Davie, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Pratt, Rabb, Sowell, Summers, Smaw, Smith, Stone, Tatum, Wade, Walker, Ward, Weaver, Williams, Winston, Woolf, White of Dallas—57.

Nay—Mr. Brown—1.

By Mr. Smisson—

H. B. 718. To amend section 3210 of the Code.

The bill was read the third time at length and passed—yeas 54, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown,  
Cornelius, Darby, Dark, Davie, Dupree, Fitzpatrick,  
Hampton, Hardy, Hogue, Hundley, Kemp, King, Knight,  
Lay, Ledyard, Lowe, Mancill, Maley, Miller, Moseley, Mc-  
Lendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker,  
Patton, Porter, Posey, Powell, Pratt, Sowell, Smisson,  
Smith, Stansel, Stone, Wade, Walker, Ward, Weaver,  
Webb, Williams, Winston—54.

Nays—Messrs. Bolton, Johnson, Rattray—3.

By Mr. Hardy—

s. 216. To amend the charter of the Central City Build-  
ing and Loan Association of Selma, Alabama.

The bill was read the third time at length and passed—  
yeas 55, nays 0.

Yeas—Messrs. Speaker, Ben-  
ners, Bogart, Bourdeaux,  
Bush, Blevins, Brown, Carter, Cochrane, Darby, Davie,  
Denson, Dupree, George, Hampton, Hardy, Henderson,  
Hogue, Johnson, Kemp, King, Knight, Ledyard, Lowe,  
Maddox, Maley, Meador, Miller, Moseley, McLendon, Mc-  
Leod, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus,  
Porter, Powell, Pratt, Rattray, Russell, Smisson, Smith,  
Stansel, Stone, Tatum, Wade, Walker, Ward, Williams,  
Winston, Woolf, White of Geneva—55.

By Mr. Petrus—

H. B. 306. To incorporate the Selma Park Association.

The bill was read the third time at length and passed—yeas 60, nays 1.

Yeas—Messrs. Speaker, Adams, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Kemp, King, Knight, Lay, Ledyard, Lee, Lowe, Maddox, Meador, Miller, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Webb, Williams, Winston, White of Dallas, White of Geneva—60.

By Mr. White of Dallas—

H. B. 640. To amend section eight of an act “to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and to establish a local government therefor,” approved February 17, 1883.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Darby, Dark, Denson, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Johnson, Kemp, King, Ledyard, Lee, Maddox, Maley, Meador, Moseley, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Russell, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Watters, Williams, Winston, Woolf, White of Dallas, White of Geneva—61.

By Mr. Blevins—

H. B. 123. To reduce and fix the commissions of the tax assessor of DeKalb county.

Mr. Blevins moved to amend the bill by providing that the act should not go into effect until January 1, 1890.

Carried.

The bill was read the third time at length and passed—yeas 58, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Denson, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Maddox, Maley, Meador, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Powell, Pratt, Simmons,

Summers, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Watters, Weaver, Williams, Winston, Woolf, White of Geneva—58.

Mr. Moseley voted no—1.

By Mr. Parker—

s. 38. To establish a separate school district to be known as the Moss Grove school district in Marengo county.

Mr. Parker, offered an amendment by way a substitute which was adopted.

Mr. Davie moved to amend by striking out "Helms School District in Barbour county."

Carried.

Mr. Lee moved to amend by adding "Fortner School District, in Conecuh county, embracing all that part of old town beat south of Simmon's creek."

Carried.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, French, Hampton, Henderson, Hogue, Hundley, Johnson, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McLendon, McLeod, McRee, Nelson, Ne-Smith, Nisbet, Paine, Parker, Patton, Porter, Posey, Rattray, Russell, Simmons, Smaw, Stansel, Stone, Tatum, Wade, Ward, Watters, Weaver, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. Kemp—

H. B. 1018. To authorize the county commissioners of Monroe county, to levy a special tax of one-fifth of one per cent. for bridge purposes.

The bill was read the third time at length and passed—yeas 59, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Cunningham, Darby, Dark, Davie, Dupree, Dykes, French, George, Hampton, Hardy, Henderson, Higgins, Hogue, Kemp, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Meador, Miller, Moseley, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Simmons, Smaw, Smisson, Stansel, Stone, Tatum, Wade, Walker, Watters, Weaver, Williams, Winston, Woolf, White of Geneva—59.

Nays—Messrs. Bourdeaux, NeSmith—2.

By Mr. Wade—

H. B. 926. To constitute the city of Gadsden, a separate public school district.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Higgins, Hogue, Johnson, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Meader, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—53.

By Mr. Bradley—

H. B. 866. To incorporate the Vernon Institute.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, French, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Pratt, Rattray, Simmons, Smaw, Smisson, Stone, Tatum, Wade, Walker, Ward, Watters, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—61.

By Mr. Bolton—

s. 273. To fix the times and places of holding the circuit courts in the counties of Franklin and Marion, in the eighth judicial circuit of the State of Alabama.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Mess. Speaker, Adams, Allen, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Clark, Cornelius, Cunningham, Dark, Davie, Dupree, French, Hampton, Hardy, Hogue, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Wiley, Williams, Winston, White of Dallas, White of Geneva—61.

By Mr. Smaw—

H. B. 999. For the preservation of game animals and birds in the county of Hale.

Mr. Smaw offered an amendment by way of a substitute, which was adopted:

The bill was read the third time at length and passed—yeas 54, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, French, Hampton, Henderson, Hogue, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Simmons, Smaw, Smisson, Stansel, Stone, Wade, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

Nays—Messrs. Dykes, NeSmith, Summers—3.

By Mr. Patton—

s. 395. To enlarge the powers, rights and privileges of the "Mary Pratt Furnace Company," an industrial, mining and manufacturing corporation, organized and chartered in Jefferson county under the general laws of Alabama.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clark, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, French, Hampton, Hardy, Henderson, Hogue, King, Knight, Ledyard, Lee, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McLendon, McLeod, McRee, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Stansel, Stone, Wade, Walker, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—59.

By Mr. Knight—

s. 371. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of said railroad.

The bill was read the third time at length and passed—yeas 57, nays 4.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bolton, Bourdeaux, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, Hampton, Henderson, Hogue, Kemp, Knight, Lay, Ledyard, Lee,



Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Posey, Powell, Pratt, Simmons, Summers, Stansel, Stone, Wade, Walker, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—57.

Nays—are Messrs. Benners, Denson, Hundley, Pettus—4.

By Mr. Benners—

H. B. 658. To incorporate the Railway Passengers Indemnity Company.

The bill was read the third time at length and lost.

Yeas 24, nays 35.

Yeas—Messrs. Speaker, Benners, Bevis, Brown, Carter, Clark, Cochrane, Cornelius, Cunningham, Davie, Fitzpatrick, Hampton, Knight, Ledyard, McLendon, McRee, Porter, Powell, Smaw, Smith, Stansel, Stone, Wade, Woolf—24.

Nays—Messrs. Adams, Allen, Anderson, Bogart, Bolton, Blevins, Bradley, Dark, Denson, Dupree, Dykes, French, Henderson, Higgins, Hogue, Hundley, Lee, Maddox, Maley, Meador, Moseley, Nelson, NeSmith, Nisbet, Parker, Patton, Posey, Simmons, Summers, Walker, Weaver, Webb, Winston, White of Geneva—35.

By Mr. Ward—

H. B. 38. To establish a branch agricultural experimental station and branch agricultural school in North Alabama.

The substitute, with title as follows, offered by the committee, was adopted :

To establish two Branch Agricultural Experiment Stations and Agricultural Schools, one in North Alabama and the other at or near Abbeville, in Henry county, in Southeast Alabama.

Mr. Carter moved to amend the bill by striking out the words "Abbeville, Henry county," and insert in lieu the words "Troy, Pike county;"

Which, on motion, was laid upon the table.

Mr. Smisson moved to amend the bill by striking out "Abbeville, Henry county," and inserting in lieu the words "Ozark, Dale county;"

Which, on motion, was laid upon the table.

The bill was read the third time at length and passed—yeas 50, nays 20.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bradley, Clark, Cochrane, Cornelius, Cunningham, Davie, Dupree, Fitzpatrick, French, Hamp-

ton, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lowe, Mancill, Meador, Moseley, McLendon, NeSmith, Nisbet, Patton, Pettus, Porter, Powell, Rattray, Russell, Simmons, Summers, Smaw, Smisson, Stansel, Stone, Walker, Ward, Webb, Williams, Woolf, White of Geneva—50.

Nays—Messrs. Adams, Brown, Carter, Darby, Dark, Denson, Dykes, Hogue, King, Longshore, Maley, McLeod, Nelson, Paine, Parker, Posey, Smith, Wiley, Winston, White of Dallas—20.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m. to day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.  
There was a quorum present.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Porter—

H. B. 664. To amend the charter of the Elyton Land Company, a corporation organized under the general incorporation laws of this State.

Mr. Porter offered amendmets, which were adopted.

The bill was read the third time at length and passed—yeas 52, nays 1.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Lay, Lee, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Posey, Rattray, Simmons, Stone, Wade, Walker, Webb, Williams, Woolf, White of Dallas, White of Geneva—52.

Nay—Mr. French—1.

By Mr. Lowe—

H. B. 902. To regulate the practice in the circuit court of Jefferson county and supreme court on appeal from judgments rendered in said cases.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Porter, Posey, Powell, Rattray, Stansel, Stone, Wade, Walker, Webb, Williams, Woolf, White of Dallas, White of Geneva—54.

By Mr. Bradley—

H. B. 865. To authorize N. L. Trull to survey and establish lines in Fayette county, and State of Alabama.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Allen, Anderson, Benners, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Summers, Smaw, Smisson, Stansel, Stone, Wade, Walker, Webb, Williams, Woolf, White of Dallas, White of Geneva—55.

By Mr. Cunningham—

H. B. 675. To incorporate the Florence Belt Railroad & Improvement Company.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Allen, Anderson, Benners, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Lowe, Maddox, Meador, Miller, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Simmons, Smisson, Stansel, Stone, Wade, Woolf, White of Dallas, White of Geneva—52.

By Mr. Cunningham—

s. 427. To confirm the incorporation and organization of the Lauderdale Manufacturing Company, and to define and declare the powers of said company.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Allen, Anderson, Bevis, Bogart, Bolton,

Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Ledyard, Lee, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Simmons, Smaw, Smisson, Stansel, Wade, Walker, Watters, Williams, Woolf, White of Dallas, White of Geneva—55.

By Mr. French—

H. B. 485. To regulate the granting of licenses to sell vinous, spirituous, or malt liquors, in Jackson county, Alabama.

The bill went back on the calendar, under the rules, having been discussed for ten minutes.

By Mr. French—

H. B. 660. To allow the people of the county of Jackson to elect their commissioners by a majority of the qualified voters of the respective districts in which they reside.

On motion of Mr. Rabb, the bill was tabled.

By Mr. NeSmith—

H. B. 991. To incorporate the male and female academy, located in the town of Leighton, Lawrence county, Alabama.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Adams, Arrington, Bevis, Bogart, Blevins, Bradley, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, French, George, Hardy, Henderson, Hogue, Hundley, Kemp, King, Knight, Ledyard, Maddox, Maley, Moseley, McLendon, McLeod, Nelson, NeSmith, Patton, Pettus, Porter, Powell, Rabb, Rattray, Simmons, Sowell, Summers, Smaw, Smisson, Stansel, Stone, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

By Mr. NeSmith—

s. 408. To amend the caption and section 1 of an act approved February 7, 1852, entitled an act to incorporate the Baptist Female Institute at Moulton.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Darby, Davie, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Lay, Ledyard, Lowe, Maddox, Maley, Moseley, McElvey, McLen-

don, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Summers, Smisson, Stansel, Stone, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

By Mr. Moseley—

s. 186. To revoke and nullify the charter of the town of Collegeton, in Talladega county, Alabama.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Allen, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Cornelius, Darby, Dark, Davie, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Maddox, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—55.

By Mr. Sowell—

H. B. 980. To authorize the mayor and aldermen of Elkmont, in Limestone county, to license, regulate, restrain or prohibit the sale of liquors in that town.

The bill was read the third time at length and passed—yeas 48, nays 7.

Yeas—Messrs. Anderson, Arrington, Bevis, Bradley, Cornelius, Cunningham, Darby, Dark, Davie, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, King, Knight, Ledyard, Lowe, Mancill, Maley, Moseley, McLeod, NeSmith, Paine, Parker, Patton, Pettus, Porter, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Wade, Walker, Watters, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—48.

Nays—Messrs. Adams, Belevins, Dupree, Kemp, McElvey, Posey, Summers—7.

By Mr. Russell—

H. B. 727. To prescribe the duties and provide for the compensation of the county solicitor for the county of Talladega.

The bill was read the third time at length and passed—yeas 34, nays 30.

Yeas—Messrs. Speaker, Anderson, Bogart, Carter, Cochrane, Cornelius, Cunningham, Dark, Davie, King, Ledyard, Lewis, Lowe, Miller, McLendon, Nisbet, Paine, Patton, Pettus,

Porter, Posey, Powell, Russell, Sowell, Smith, Stansel, Stone, Walker, Weaver, Webb, Woolf—34.

Nays—Messrs. Adams, Arrington, Benners, Bolton, Bourdeaux, Bradley, Clements, Darby, Dupree, Dykes, Hampton, Hardy, Hundley, Knight, Lay, Lee, Mancill, Maley, Moseley, McElvey, McLeod, Nelson, Parker, Pratt, Simmons, Summers, Smaw, Smisson, Wade, Watters, Winston, White of Geneva—30.

By Mr. Russell—

s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bogart, Bolton, Blevins, Cochrane, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Rattray, Simmons, Sowell, Smisson, Smith, Stansel, Stone, Wade, Walker, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Paine—

H. B. 1005. To incorporate the Tuskegee, Tallassee and Sylacauga Railroad company, and to further the construction of said railroad.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Bogart, Blevins, Bradley, Carter, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, George, Hampton, Henderson, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smaw, Smith, Stansel, Stone, Walker, Watters, Webb, Winston, Woolf, White of Dallas, White of Geneva—53.

By Mr. Hundley—

H. B. 521. To provide the manner of payment of certain fees allowed sheriffs, as provided under section 4872 of the Code.



The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Allen, Anderson, Arrington, Bogart, Bolton, Carter, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Johnson, King, Lay, Ledyard, Lewis, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Pettus, Porter, Posey, Pratt, Rattray, Simmons, Sowell, Summers, Smisson, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—54.

By Mr. Hampton—

H. B. 684. To define and prescribe a lawful fence in certain portions of the county of Madison.

The committee amendment was adopted.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bolton, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Knight, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Simmons, Smaw, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Winston, Woolf, White of Geneva—52.

By Mr. Walker—

H. B. 841. To prohibit the sale of alcoholic, vinous or spirituous liquors within three miles of Gunter's Union Church, and Gurley's Normal Academy of Gurley, Madison county, Alabama.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bogart, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Ledyard, Maddox, Maley, Meador, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Sowell, Smith, Stansel, Stone, Wade, Walker, Ward, Weaver, Winston, Woolf, White of Dallas, White of Geneva—51.

Mr. Bourdeaux voted no.

By Mr. Meador—

s. 269. To incorporate an educational institute in the city

of Demopolis, Alabama, under the name and style of the Marengo Military Academy.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Johnson, Kemp, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Meador, Miller, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Powell, Simmons, Smaw, Stansel, Stone, Wade, Weaver, Winston, Woolf, White of Dallas, White of Geneva—53.

By Mr. Woolf—

H. B. 194. To amend sections 762 and 763 of the Code of 1886.

The substitute offered by the committee was adopted.

Mr. Woolf offered the following amendment:

“Provided this act shall only apply to the counties of Marengo and Clarke;”

Which was adopted.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Bogart, Bradley, Brown, Clements, Cochrane,  
Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes,  
Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue,  
Johnson, Kemp, King, Lay, Ledyard, Lewis, Longshore,  
Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey,  
McLendon, McLeod, NeSmith, Paine, Parker, Patton, Pet-  
tus, Porter, Posey, Pratt, Smaw, Smith, Stansel, Stone,  
Wade, Ward, Weaver, Webb, Winston, Woolf, White of  
Dallas, White of Geneva—60.

#### RECONSIDERATION.

Mr. Carter moved to reconsider the vote by which

H. B. 658. To incorporate the Railway Passenger Indem-  
nity Company,

Was lost on yesterday and the motion was lost.

On motion of Mr. Lowe, the vote by which

s. 373. To change the name of the East Birmingham  
Land Company, a corporation organized under the general  
laws of the State of Alabama, and having its principal place

of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation,

Was passed, was reconsidered.

On motion, the vote by which the bill was ordered to a third reading was reconsidered.

The bill was amended by inserting in the third line of section 2, after the word "road," the word "railroad."

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Cunningham, Dark, Davie, Dupree, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, King, Ledyard, Longshore, Lowe, Maley, Meador, Moseley, McElvey, McLendon, McLeod, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stone, Wade, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—52.

#### BILL ON SECOND READING.

Mr. Sowell called up  
s. 443. For the relief of Mary Rogers, a minor of Lime-stone county,

From an adverse report.

The bill was read a second time.

The hour of 6 o'clock having arrived, the house adjourned till 8 o'clock p. m.

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#### NIGHT SESSION.

The house reassembled at 8 p. m.

A quorum was present.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By leave, by Mr. Allen—

s. 339. To fix the times and places of holding the chancery courts of Cleburne and Cherokee counties.

The bill was read the third time at length and passed.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bourdeaux, Blevins, Bradley, Brown, Cochrane, Cunningham, Dark, Denson, Dykes, Fitzpatrick, George, Hardy, Henderson, Higgins, Hogue, Kemp, Lay, Ledyard, Lewis, Maddox, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, White of Dallas, White of Geneva—52.

By Mr. Winston—

H. B. 700. To authorize the county treasurer of Marshall county to register certain claims against the fine and forfeiture fund of said county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Henderson, Higgins, Hogue, Kemp, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Wade, Ward, Weaver, Webb, Winston, Woolf, White of Geneva—54.

By Mr. Ledyard—

H. B. 468. To provide for the better policing of Frascati park in the city of Mobile and its environs, and for the better protection of visitors thereto.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bourdeaux, Blevins, Brown, Carter, Clements, Cochrane, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Hardy, Henderson, Higgins, Hogue, Ledyard, Lewis, Longshore, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Pettus, Porter, Posey, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Watters, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—54.

By Mr. Anderson—

H. B. 349. To authorize the Mobile Street Railway Company to establish and operate one or more public parks or gardens, at the places therein designated, and to provide

for the protection of the employees and visitors while thereat, or going to or returning therefrom.

The bill was read the third time at length and passed—yeas 54, nays 0.

Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson, Dykes, Fitzpatrick, George, Hardy, Henderson, Hogue, Kemp, Lay, Ledyard, Lewis, Longshore, Maddox, Maley, McElvey, McLendon, McLeod, NeSmith, Paine, Patton, Pettus, Porter, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—54.

By Mr. Lay—

H. B. 508. To amend section 1761 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 53, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bourdeaux, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Denson, Fitzpatrick, George, Hardy, Henderson, Hogue, Kemp, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, White of Dallas, White of Geneva—53.

Nay—Mr. Bolton—1.

By Mr. Lewis—

H. B. 897. To amend subdivision 22 of section 629 of the Code.

The bill was read the third time at length and passed—yeas 49, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bolton, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, Hardy, Henderson, Higgins, Hogue, Kemp, Ledyard, Lewis, Longshore, Lowe, Miller, Moseley, McElvey, McLendon, McLeod, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—49.

Nays—Messrs. Bourdeaux, Maddox, Nelson—3.

By Mr. Kemp—

s. 411. To make the circuit clerk of Escambia county ex-officio clerk of the county court of said county.

Mr. Rabb offered the following amendment: "Add after the word 'law,' in last line, the following words: 'For like services in circuit court;'" and strike out in last line "in such courts made and provided."

Adopted.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cochran, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Fitzpatrick, George, Hardy, Henderson, Higgins, Hogue, Kemp, Ledyard, Lewis, Longshore, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Patton, Pettus, Porter, Powell, Pratt, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—57.

By Mr. Fitzpatrick—

H. B. 620. To constitute the city of Montgomery a separate school district.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Allen, Benners, Bevis, Blevins, Bradley, Carter, Cochran, Cunningham, Dark, Denson, Dykes, Fitzpatrick, George, Hardy, Henderson, Hogue, Kemp, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Pettus, Posey, Powell, Pratt, Rabb, Simmons, Summers, Smaw, Smith, Stansel, Wade, Walker, Ward, Watson, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—52.

By Mr. McLendon—

H. B. 962. To prevent the sale, giving away or otherwise disposing of spirituous or intoxicating liquors, on Sunday.

On motion of Mr. Cunningham, the bill was laid upon the table.

By Mr. Porter, by leave—

s. 7. To incorporate the Anniston Water Supply company.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 53, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cochran,



Cornelius, Cunningham, Dark, Denson, George, Hardy, Henderson, Higgins, Kemp, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Porter, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watters, Weaver, Webb, Winston, Woolf—53.

Nays—Mr. Dykes—1.

By Mr. McLendon—

H. B. 973. To regulate the finances of Montgomery county. The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Denson, Dykes, George, Hardy, Henderson, Higgins, Kemp, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Porter, Posey, Pratt, Rattray, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Weaver—

H. B. 925. To amend an act to regulate the issuance of license to sell vinous, spirituous, or malt liquors in Morgan county.

The bill was read the third time at length and passed—yeas 48, nays 5.

Yeas—Messrs. Adams, Allen, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, George, Hampton, Hardy, Henderson, Higgins, Hogue, Ledyard, Lewis, Longshore, Lowe, Maley, Miller, Moseley, McElvey, McLendon, Nelson, NeSmith, Patton, Porter, Posey, Powell, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watters, Weaver, Webb, Winston, Woolf, White of Geneva—48.

Nays—Messrs. Speaker, Bourdeaux, Lay, Maddox and Petrus—5.

By Mr. Hogue—

S. 401. To fix the pay of the superintendent of education of Perry county.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes,

George, Hardy, Henderson, Higgins, Hogue, Kemp, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, Patton, Pettus, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, Woolf, White of Dallas—55.

By Mr. Stansel—

H. B. 937. To relieve Francis L. Everett and Eliza B. Everett of the disabilities of non-age.

The bill was read the third time at length and passed—yeas 49, nays 4.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Hardy, Henderson, Hogue, Kemp, Ledyard, Lewis, Longshore, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Patton, Posey, Powell, Pratt, Rabb, Simmons, Smith, Stansel, Wade, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—49.

Nays—Messrs. Lay, Pettus, Porter, Walker—4.

By Mr. Stansel—

H. B. 717. To amend section 3215 of the Code.

The bill was read the third time at length and lost—yeas 12, nays 44.

Yeas—Messrs. Clements, Cornelius, Cunningham, Dykes, Patton, Porter, Pratt, Simmons, Smaw, Smisson, Stansel, Stone, Weaver, Winston—12.

Nays—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Dark, Denson, George, Hardy, Henderson, Higgins, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Pettus, Posey, Rabb, Summers, Smith, Wade, Walker, Ward, Webb, Woolf, White of Dallas, White of Geneva—44.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 19, 1889.

*Mr. Speaker:*

The governor has approved the following bills, which originated in the house:

House bills 641, 642, 369, 578, 553, 321, 487, 472, 319, 237, 150.

THOS. H. CLARK,  
Recording Secretary.

#### RESOLUTIONS.

By leave, Mr. Lowe offered the following resolution :

*Be it resolved*, That no member who is absent without leave of the house, or good excuse, when his county is called, upon the call of counties for passage of bills, shall have the right to call a bill after his county is passed, except by unanimous consent of the house. Each member present may call but one bill. Provided, that any member may have his call passed for the purpose of claiming his call later.

Which was referred to committee on rules.

By Mr. Adams, by leave—

*Resolved*, That the clerks of committees on judiciary, ways and means and revision of laws, be, and they are hereby discharged.

Adopted.

Yeas 42, nays 20.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Carter, Cornelius, Cunningham, Darby, Dark, Denson, Dykes, Higgins, Hogue, Kemp, Lay, Lewis, Longshore, Maddox, Maley, Moseley, McElvey, Nelson, NeSmith, Paine, Patton, Posey, Powell, Rabb, Rattray, Simmons, Smaw, Smith, Walker, Ward, Watters, Winston, White of Geneva—42.

Nays—Messrs. Brown, Cochrane, Fitzpatrick, George, Hardy, Henderson, Ledyard, Lowe, McLendon, McLeod, Pettus, Porter, Pratt, Summers, Stansel, Wade, Weaver, Webb, Woolf, White of Dallas—20.

On motion of Mr. Bourdeaux, at 10 p. m. the house adjourned till 9:30 a. m. to-morrow.

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#### FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,

Wednesday, February 20, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Adams of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—91.

The journal of Saturday was read and approved.

#### LEAVE OF ABSENCE

Was granted to Messrs. Weaver, Clark, and French indefinitely, and to Messrs. Tatum and Williams for one day.

#### SPECIAL ORDER.

s. 215. To prohibit the sale of spirituous, vinous or malt lipuors in township 17, range 6, east, in Perry county, except within the corporate limits of Uniontown, Perry county, Alabama.

The substitute offered by the committee, as amended, with title as follows, was adopted:

s. 215. To prohibit the sale, giving away, or otherwise disposing of alcoholic, vinous, or malt liquors, or other intoxicating drinks, or fruits preserved in alcoholic liquors. within five miles of Freewill Baptist church, Loadicea church, Hopewell church, Union Grove school house, Fogsett Mines and Morris High School, and in beat seventeen, all in Jefferson county; or within the limits of Barbour county, except in incorporated towns having police regulations; *Provided*, the provisions of this act shall not apply to Hawkinsville beat and Eufaula beat in Barbour county; or within five miles of any coal or iron ore mine, or coal or iron ore mining camp within three miles on either side of the Sheffield and Birmingham Railroad in Walker county; or within three miles of Union Missionary Baptist church or Bristoe Creek Missionary Baptist

church and Cove Camp Ground Methodist church, all in Etowah county; or within the corporate limits of the town of Moulton in Lawrence county, or within five miles thereof; or within two miles of Pleasant Valley Baptist church in Lauderdale county; or within three miles of County Line School House in Tallapoosa county; or within three miles of Salem church in Lamar county; or within five miles of the Academy in the town of Hillsboro in Lawrence county; *Provided*, that this act shall not be so construed as to prevent the manufacture or sale of domestic wine, or to prevent regular practicing physicians, who have complied with the law regulating the practice of medicine, from keeping and administering said liquor when necessary in their actual legitimate practice within the last named district; or within five miles of Union Chapel church in Pickens county; or within four miles of Mountain Mills and Pine Grove churches in Colbert county; or within five miles of Goose Pond church in Jackson county; or within four miles of Davis Creek church in Tallapoosa county; or within two miles of Union Presbyterian church and Pleasant Ridge Baptist church in Dale county; or within the limits of township 17, range six (6) in Perry county, except in the limits of the city of Uniontown; *Provided*, that nothing herein contained, shall be so construed as to prevent regular licensed physicians from administering any of the above named liquors, whenever they deem it necessary in the last named district; or within three miles of Oak Grove church in Calhoun county; or within three miles of Hebron church; or within four miles of Harmony Grove church and Academy, both in Limestone county; or within beat two (2), Russell county; *Provided*, the provisions of this act shall not be in force until January 1, 1890, so far as the same applies to beat two, Russell county; or within three miles of Davis Creek church in Favor's beat in Tuscaloosa county; or in beat two in Chambers county; or within six miles of Champion in Blount county; or within three miles of Oak Grove Colored Methodist church; or within three miles of Thaddeus post office; or within three miles of Agricola post office, all in Tallapoosa county.

Amendments to the bill were offered as follows:

By Mr. Shorter—

"Strike out the provisions relating to Barbour county."

Which, on motion of Mr. Wiley, was laid on the table

By Mr. Davie—

Add to last section the following:

"Provided, the provisions of this act shall not apply to Hawkinsville beat and Eufaula beat in Barbour county."

Adopted.

By Mr. Smith—

Amend the title and body of the bill by adding, "or within beat two, Russell county; *Provided*, the provisions of this act shall not be in force until January 1, 1890, so far as the same applies to beat two, Russell county."

By Mr. Cochrane—

Amend by adding in title and body, "within three miles of Davis Creek church in Favor's beat in Tuscaloosa county."

Adopted.

By Mr. Porter—

Amend by adding in the title and body of the bill after the words "Morris High School," the words, "and in beat seventeen."

Adopted.

By Mr. Maddox—

Add in body and title, "or within three miles of Kelly's Creek post office in St. Clair county."

Adopted.

By Mr. Denson—

Amend by adding, "or in beat two in Chambers county."

Adopted.

By Mr. Johnson—

Amend caption and body by adding, "or within six miles of Champion in Blount county."

Adopted.

By Mr. Dupree—

Add, "or within three miles of Oak Grove Colored Methodist church; or within three miles of Thaddeus post office; or within three miles of Agricola post office, all in Tallapoosa county."

Adopted.

The bill was read the third time at length and passed—yeas 44, nays 26.

Yeas—Messrs. Adams, Blevins, Clements, Davie, Denson, Dupree, Hampton, Hardy, Henderson, Hogue, Johnson, Kemp, Knight, Ledyard, Lee, Longshore, Lowe, Maley, Meador, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stone, Wade, Ward, Watters, Webb, Wiley, Woolf—44.



Nays—Messrs. Speaker, Anderson, Arrington, Benners, Bolton, Bourdeaux, Bush, Brown, Cornelius, Cunningham, Dark, Dykes, Hundley, King, Lay, Maddox, Mancill, Paine, Parker, Pettus, Rattray, Russell, Smisson, Winston, White of Dallas, White of Geneva—26.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate concurs in the house joint resolutions relating to requesting the representatives and instructing senators in congress to use their efforts to carry into effect in the States of Alabama and Mississippi, the existing compacts with those States.

To request our representatives and instruct our senators to use their efforts to secure such action on the part of congress as will enable the State of Alabama, to receive for the purpose of education certain lands granted by act of congress of September 4th, 1841.

And has passed and ordered to the house,  
s. 488. To amend section 791 of the Code.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The senate bill just received, whose title is set forth in the above and foregoing message, was read once and referred to the committee as follows:

s. 488, to judiciary.

INTRODUCTION OF BILLS.

By Mr. White of Dallas, (by request.)

H. B. 1033. To amend section 791 of the Code of Alabama of 1886.

By Mr. Powell—

H. B. 1034. To incorporate the Pensacola, Union Springs and Chattanooga Railroad Company.

The foregoing bills were severally read one time and referred to the committee on revision of laws.

RESOLUTION.

By Mr. Rabb—

*Resolved*, That a joint committee of three from the house

and two from the senate be appointed to fix and report the day upon which the general assembly shall adjourn, and the committee shall take into consideration the propriety of taking a recess before final adjournment, and if so, on what day or days.

Adopted.

Committee on part of the house ;

Messrs. Rabb, Pettus, Clements.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Lay, from committee on ways and means, reported favorably,

H. B. 1028. To amend an act entitled an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888.

Mr. Denson, from special committee, reported favorably to—

H. B. 1030. To amend section 12 of an act entitled an act to establish a new charter for the town of LaFayette, in the county of Chambers, approved February 26, 1881.

Mr. Pettus, from the judiciary committee, reported favorably to the following bills :

s. 466. To require the clerk of the circuit court of Jefferson county, in this State, to index the several records and books in his office which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

s. 327. To authorize and require the register in chancery, of the chancery district composed of the county of Crenshaw, to act as probate judge in said county, in reference to an executorship, administration or guardianship, when the probate judge is incompetent, under the provisions of section 647 of the Code.

Also,

s. 434. To amend section five of an act to define the rights and liabilities of husband and wife, approved February 28th, 1887, in so far as the same applies to the county of Hale.

Also,

s. 447. To amend section two of an act entitled an act to require judges of the circuit courts, judges of the city courts, and judges of the inferior courts, having criminal jurisdiction, to fix the amount of bail required of a defendant in every case as soon as the indictment is filed in court, approved February 28th, 1887.

Mr. Lowe, from the committee on corporations, reported the following bills favorably :

s. 374. To amend section 1594 of the Code of Alabama.

Also,

s. 461. To incorporate the city of Fort Payne, in the county of DeKalb, Alabama.

Also,

s. 353. To amend section 1588 of the Code of Alabama.

Also,

s. 404. To incorporate the Mobile and Eastern Shore Railway and Navigation company.

Also,

s. 274. To incorporate the Southern Loan and Guaranty company.

Also,

s. 415. To incorporate the Alabama Investment and Security company.

Also,

s. 445. To amend the charter of the Jacksonville Mining and Manufacturing company, a corporation organized under the general incorporation laws.

Also,

s. 391. To amend an act entitled an act to incorporate the city of Sheffield, in the county of Colbert, approved February 17th, 1885, and to confer additional powers and duties on the city council of said city of Sheffield.

Mr. Simmons, from local legislation, reported favorably the

H. B. 811. To protect the owner of lands or fences on the waters of Dry Creek in the county of Jackson.

The foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the house joint resolution relative to the final adjournment of the general assembly.

Committee on the part of the senate, Messrs. Huey and Inge.

And has concurred in the house amendments to the bills:

s. 373. To change the name of the East Birmingham Land company, a corporation organized under the general laws of the State of Alabama, and having its principle place of business in the city of Birmingham, to the East Birmingham Land

and Railroad company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

s. 411. To make the clerk of the circuit court of Escambia county ex officio clerk of the county court of said county.

s. 7. To incorporate the Anniston Water Supply Company.

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens, approved December 28, 1887.

And has passed—

s. 228. To encourage immigration to the State of Alabama.

W. L. CLAY,

Secretary.

#### SENATE MESSAGE.

The senate bill just received, whose title is set forth in the above and foregoing message, was read once and referred to the committee as follows:

s. 228, to appropriations.

#### BILLS ON THIRD READING.

Bills were called up as follows:

By leave, by Mr. Cochrane—

s. 252. In relation to criminal insane persons, who are charged by indictment with murder and other high crimes.

The bill was read the third time at length and passed—yeas 48, nays 25.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bush, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Denson, George, Hampton, Hardy, Henderson, Hundley, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Mancill, Meador, Miller, McElderry, McLendon, McRee, Patton, Pettus, Porter, Posey, Powell, Rabb, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Walker, Watters, Wiley, Woolf, White of Dallas—48.

Nays—Messrs. Adams, Anderson, Bolton, Bourdeaux, Blevins, Brown, Dark, Dupree, Dykes, Higgins, Hogue, Johnson, Kemp, Maddox, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Russell, Summers, Ward, Winston, White of Geneva—25.

By Mr. Wiley—

s. 181. To make it lawful to sell, give away, or otherwise dispose of spirituous, vinous and malt liquors on the property fronting on the north side of Monroe street in the city of Montgomery, except in the store fronting forty-five feet on said street at the corner of Court street.

The bill was read the third time at length and passed—yeas 52, nays 7.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Carter, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, King, Knight, Ledyard, Longshore, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, NeSmith, Paine, Patton, Porter, Posey, Powell, Rattray, Russell, Smaw, Smith, Stansel, Walker, Ward, Webb, Wiley, Winston, White of Geneva—52.

Nays—Messrs. Allen, Clements, Cornelius, Nelson, Nisbet, Rabb, Stone—7

By Mr. Pettus—

s. 384. To amend section 1759 of the Code.

The bill was read the third time at length and passed—yeas 54, nays 1.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Cunningham, Darby, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Knight, Ledyard, Longshore, Mancill, Maley, Meador, Miller, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Parker, Pettus, Porter, Posey, Simmons, Smisson, Stansel, Stone, Stowers, Walker, Ward, Watters, Webb, Wiley, Woolf, White of Dallas, White of Geneva—54.

Nay—Mr. Bolton—1.

By Mr. Stone—

H. B. 203. To amend section 1399 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 70, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet,

Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Summers, Smaw, Smith, Stone, Stowers, Wade, Watters, Wiley, Winston—70.

Nays—Messrs. Higgins, Rabb, Ward—3.

By Mr. Clements—

H. B. 1020. To fix the rate of taxation in this State.

The bill was read the third time at length and passed—yeas 61, nays 5.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Porter, Posey, Powell, Russell, Simmons, Summers, Smaw, Smith, Stansel, Stone, Stowers, Walker, Ward, Webb, Winston, Woolf, White of Geneva—61.

Nays—Messrs. George, Ledyard, Pettus, Rattray, White of Dallas—5.

By Mr. Darby—

H. B. 846. To repeal an act entitled an act to authorize the laying off the county of Pike into commissioners districts, and providing for the election of commissioners by the qualified voters of the county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Denson, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Ledyard, Longshore, Lowe, Maddox, Meador, Moseley, McElvey, McLendon, McRee, NeSmith, Nisbet, Pettus, Porter, Posey, Pratt, Rattray, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Webb, Wiley, Woolf, White of Dallas, White of Geneva—54.

By Mr. Henderson—

H. B. 1017. To amend section 1 of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark,



Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, George, Hampton, Henderson, Hogue, Hundley, King, Knight, Lay, Lee, Longshore, Lowe, Maddox, Meador, Moseley, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Patton, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Tatum, Wade, Walker, Webb, Wiley, Winston, White of Geneva—59.

By Mr. Smith—

H. B. 549. To constitute the town of LaFayette, in Chambers county, a separate school district.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, George, Hampton, Higgins, King, Knight, Lay, Ledyard, Longshore, Lowe, Mancill, Maley, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pettus, Porter, Posey, Powell, Russell, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Ward, Webb, Winston, White of Geneva—53.

The hour of 1:30 having arrived, the house stood adjourned till 3 p. m. to-day.

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#### AFTERNOON SESSION.

The house reassembled at 3 p. m.

A quorum was present.

#### BILLS ON THIRD READING.

The house resumed consideration of bills on third reading, and bills were called up as follows :

By Mr. Nelson—

s. 385. To amend section 149 of the Code.

On motion of Mr. Smith the amendment of the committee to

Insert after the word "chemist," where it appears in the twelfth line of section two of the bill, the words "and the wages of a porter,"

Was tabled.

The bill was read the third time at length and passed—yeas 53, nays 8.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Bogart, Bolton, Bush, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Denson, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lewis, Longshore, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Smith, Stowers, Wade, Walker, Ward, Webb, Woolf, White of Dallas—53.

Nays—Messrs. Blevins, Darby, Dark, Dupree, Johnson, Mancill, Nelson, Simmons—8.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has amended as therein shown, and as amended, has passed

H. B. 702. For the better suppression of gambling.

And has amended by way of substitute and has passed

H. B. 435. To establish a county criminal court for Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

H. B. 84. To amend section 3089 of the Code.

And has concurred in the house amendments to the bills

s. 373. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

s. 411. To make the clerk of the circuit court of Escambia county ex-officio clerk of the county court of said county.

s. 7. To incorporate the Anniston Water Supply Company.

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens, approved December 28, 1887.

The senate accedes to the request of the house for a committee of conference on the bill

s. 2. In relation to the sale of cotton and other produce by factors, commission merchants, warehousemen, or other persons who sell the same.

Committee on the part of the senate—Messrs. Brewer, Stallworth and Tayloe.

And has passed

s. 398. To appropriate the two and three per cent. fund.

s. 450. To amend section four of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows:

s. 450, to a special committee, Mr. Miller, chairman.

s. 398, to a special committee consisting of Messrs. Stansel, Clements, Webb, Hundley and Smisson.

On motion of Mr. Ledyard, the house concurred in the first senate amendment to

H. B. 702. For the better suppression of gambling.

Yeas 62, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Denson, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Long, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Parker, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stowers, Wade, Walker, Winston, Woolf, White of Dallas, White of Geneva—62.

Nay—Mr. Fitzpatrick—1.

Mr. Lowe moved to concur in the second senate amendment to said H. B. 702.

Lost.

Yeas 4, nays 66.

Yeas—Messrs. Bogart, Cunningham, Lowe, Winston—4.

Nays—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bourdeaux, Bush, Bradley, Brown, Carter, Clements, Cornelius, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Maley,

Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey Powell, Pratt, Rabb, Simmons, Summers, Smaw, Smith, Stansel, Stowers, Wade, Woolf, White of Dallas, White of Geneva—66.

Mr. Ledyard moved that a committee of conference on said second amendment be requested of the senate.

Carried.

Committee on the part of the house : Messrs. Ledyard, Lowe and Porter.

On motion of Mr. Darby, the house concurred in the senate amendment to

H. B. 435, the title of which is set out in the foregoing senate message.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Blevins, Bradley, Brown, Carter, Cochrane, Cunningham, Darby, Dark, Davie, Denson, Dupree, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, King, Ledyard, Longshore, Lowe, Maddox, Mancill, Meador, Miller, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Rabb, Simmons, Smaw, Smith, Stansel, Stowers, Walker, Winston, Woolf, White of Dallas, White of Geneva—53.

The house concurred in the senate amendment to

H. B. 84. To amend section 3089 of the Code.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hundley, Kemp, Lay, Ledyard, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McElvey, McLendon, McLeod, McRee, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Simmons, Stansel, Stowers, Wade, Walker, Winston, White of Dallas, White of Geneva—52.

#### ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following bills correctly enrolled :

H. B. 504. To establish the city court of Anniston.

H. B. 810. To provide for the election of township trustees of public schools by a vote of the people in the counties of Cullman, Blount and Covington.

Parker, Patton, Pettus, Porter, Posey, Powell, Pratt, Russell, Simmons, Summers, Smaw, Smith, Stone, Stowers, Wade, Watters, Wiley, Winston—70.

Nays—Messrs. Higgins, Rabb, Ward—3.

By Mr. Clements—

H. B. 1020. To fix the rate of taxation in this State.

The bill was read the third time at length and passed—yeas 61, nays 5.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Porter, Posey, Powell, Russell, Simmons, Summers, Smaw, Smith, Stansel, Stone, Stowers, Walker, Ward, Webb, Winston, Woolf, White of Geneva—61.

Nays—Messrs. George, Ledyard, Pettus, Ratray, White of Dallas—5.

By Mr. Darby—

H. B. 846. To repeal an act entitled an act to authorize the laying off the county of Pike into commissioners districts, and providing for the election of commissioners by the qualified voters of the county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bogart, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Darby, Denson, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Ledyard, Longshore, Lowe, Maddox, Meador, Moseley, McElvey, McLendon, McRee, NeSmith, Nisbet, Pettus, Porter, Posey, Pratt, Ratray, Simmons, Summers, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Webb, Wiley, Woolf, White of Dallas, White of Geneva—54.

By Mr. Henderson—

H. B. 1017. To amend section 1 of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clark,

one of said act, so as to extend the boundary lines of said city.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills, and in the foregoing senate message.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the committee on judiciary, reported favorably to the bill,

H. B. 1032. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city, not to exceed five thousand dollars, to aid the county of Elmore in the purchase of the Wetumpka bridge, for the purpose of making the same free to the public.

Mr. Ledyard, from the committee on military, reported favorably to the bill,

s. 366. For the better prevention of mobs, riots and tumults.

Mr. Longshore, from the committee on revision of laws, reported favorably to the bills,

s. 164. To amend section 4034 of the Code.

H. B. 1025. To provide for the permanent improvement of the public roads of Shelby county.

H. B. 1024. To amend an act to fix the fees of justices of the peace and constables in the county of Montgomery, approved March 1, 1881.

H. B. 1031. To appropriate all the money arising from the sale of tags to be attached to fertilizers sold or exchanged in the State of Alabama, except the salaries annually due the commissioner of agriculture and his clerks, and the amount annually appropriated to the Agricultural College, to the common school fund.

The foregoing bills were severally read a second time and placed on the calendar.

The house resumed consideration of



## BILLS ON THIRD READING,

And bills were called up as follows :

By Mr. Bradley—

H. B. 599. To repeal an act entitled an act "to authorize and require the county superintendents of education of the counties of Lamar, Fayette and Marion to pay teachers of public schools monthly, approved December 11, 1886, so far as the same relates to the counties of Lamar and Marion.

Mr. Bradley offered an amendment, by way of a substitute, which was adopted, with a title as follows :

H. B. 599. To repeal an act entitled an act "to authorize and require the county superintendents of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly."

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Meador, Miller, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Parker, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stowers, Wade, Walker, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—57.

By Mr. Longshore—

H. B. 855. To authorize and require the superintendent of education of the State of Alabama to draw a warrant on the State treasurer for the sum of one thousand seven hundred and forty-nine and 50-100 dollars, with interest on said amount at the rate of 6 per cent. per annum, from the first day of March, 1859, to the first day of January, 1889, and place the same to the credit of the school fund in section 16, township 20 of range 2 east, in Shelby county.

Mr. Longshore moved to strike out the words "superintendent of education of the State of Alabama," and insert in lieu the words "State auditor" in the body and title of the bill.

Carried.

The bill was read the third time at length and lost—yeas 13, nays 46.

Yeas—Messrs. Adams, Blevins, Carter, Clements, Davie,

Dykes, Henderson, Longshore, Lowe, Maddox, McLeod, Wade and Winston—13.

Nays—Messrs. Speaker, Benners, Bogart, Bourdeaux, Bush, Bradley, Cornelius, Cunningham, Dark, Denson, Dupree, Fitzpatrick, George, Hampton, Hardy, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Mancill, Meador, Moseley, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Powell, Rattray, Simmons, Smith, Stowers, Walker, Ward, Woolf, White of Dallas, White of Geneva—46.

By Mr. Arrington—

s. 34. To amend section 3942 of the Code.

The amendment offered by the committee to strike out the proviso and insert the following: "Provided, that the provisions of this bill shall apply only to Sumter county,"

Was adopted.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, King, Knight, Ledyard, Lee, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Pratt, Simmons, Stansel, Wade, Walker, Winston, Woolf, White of Dallas, White of Geneva—57.

By Mr. McElderry—

H. B. 890. To amend the charter of the first Presbyterian church of Talladega.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Cunningham, Dark, Davie, Denson, Dupree, Fitzpatrick, George, Hundley, Hampton, Johnson, Kemp, King, Ledyard, Lewis, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smith, Stansel, Stowers, Wade, Walker, Ward, Winston, Woolf, White of Dallas, White of Geneva—56.

By Mr. McElderry—

s. 443. For the relief of Mary Rogers, a minor of Lime-stone county.

The bill was read the third time at length and passed—yeas 53, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Davie, Denson, Dykes, Fitzpatrick, George, Hampton, Henderson, Hogue, Hundley, Kemp, King, Knight, Ledyard, Lowe, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Posey, Powell, Simmons, Sowell, Stansel, Stowers, Wade, Walker, White of Dallas, White of Geneva—53.

Nays—Messrs. Johnson, Maddox, Porter—3.

By Mr. Hogue—

H. B. 780. To repeal an act entitled an act to define the county line between Perry and Dallas, approved February 28, 1868.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McLeod, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Powell, Ratray, Simmons, Sowell, Smith, Stansel, Stowers, Walker, Weaver, Woolf, White of Geneva—53.

By Mr. Dupree—

H. B. 945. To amend section 6 of an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16, 1887.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bush, Blevins, Bradley, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Ledyard, Lee, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Pettus, Porter, Simmons, Smaw, Stansel, Stowers, Winston, Woolf, White of Dallas, White of Geneva—52.

By Mr. Dark—

H. B. 880. To provide for the relief of James B. Turner of Tallapoosa county.

Mr. Dark offered the following amendment, which was adopted:

"Amend by striking out "\$97.50" and inserting \$67.50."

The bill was read the third time at length and lost—yeas 16, nays 48.

Yeas—Messrs. Bevis, Bogart, Cochrane, Darby, Dark, Dupree, Dykes, Henderson, Lowe, Maley, McLeod, Paine, Pitts, Porter, Simmons, Woolf—16.

Nays—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cornelius, Cunningham, Davie, Denson, Fitzpatrick, George, Hampton, Hardy, Higgins, Hundley, Kemp, King, Knight, Lay, Ledyard, Maddox, Mancill, Meador, Moseley, McLendon, McRee, Nelson, NeSmith, Nisbet, Pettus, Posey, Powell, Rabb, Ratray, Summers, Stansel, Stowers, Wade, White of Dallas, White of Geneva—48.

By Mr. Clements—

H. B. 949. To repeal an act entitled an act to amend section one of an act to incorporate the town of Northport, approved February 24, 1887.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hundley, Kemp, King, Knight, Ledyard, Lee, Lowe, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Rabb, Ratray, Simmons, Sowell, Summers, Smith, Stowers, Wade, Winston, White of Geneva—57.

By Mr. Cochrane—

H. B. 744. Authorizing and permitting the board of trustees of the Alabama Insane Hospital to grant the right to open rock quarries on the lands belonging to the said hospital for the purpose of building locks or dams in the Warrior river by the United States government free of charge.

Mr. Cochrane offered amendments which were adopted.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Arrington, Benners, Bolton, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Davie, Denson, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Ledyard,

Longshore, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Powell, Pratt, Rabb, Rattray, Sowell, Smith, Stansel, Stowers, Wade, Winston, Woolf, White of Geneva—53.

MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 20, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house:

House bills 593, 746, 761, 638, 824, 712, 536, 329, 690, 624, 679, 646, 542, 709, 586, 613, 591, 381, 627, 547, 176, 367, 764, 200, 705, 109, 421, 598, 645, 457.

And joint resolution, authorizing the sale of certain guns, the property of the State.

THOS. H. CLARK,  
Recording Secretary.

BILLS ON SECOND READING.

On motion of Mr. McLeod—

H. B. 207. To amend section 968 of the Code,  
Was taken from adverse calendar, and read a second time.

On motion of Mr. Johnson,

s. 43. To amend sections 3, 6, 13 and 7 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties in this State, approved February 28, 1887,

Was made a special order for February 21st, after reading of the journal.

The hour of 6 p. m. having arrived, the house stood adjourned till 8 o'clock to-night.

NIGHT SESSION.

The house re-assembled at 8 p. m.

A quorum was present.

## BILLS ON THIRD READING.

On the call of the counties for the passage of bills, bills were called up as follows:

By Mr. Cornelius—

H. B. 732. To empower the governor of Alabama to re-convey to the United States a certain tract of land described in this bill.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Dykes, George, Hardy, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElvey, McLeod, McRee, Nelson, Nisbet, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Russell, Simmons, Summers, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Webb, Wiley, Woolf, White of Dallas, White of Geneva—62.

By Mr. Posey—

H. B. 851. To pay J. W. Portis and James Cobbs for legal services rendered the State of Alabama, in the case of the State of Alabama vs. Z. T. Clements and his sureties in Washington county circuit court.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 48, nays 7.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Bush, Brown, Cochrane, Cornelius, Cunningham, Dark, Davie, Dykes, George, Hardy, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maley, Miller, Moseley, McElvey, McLeod, McRee, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Smith, Stowers, Wade, Ward, Wiley, Woolf, White of Dallas, and White of Geneva—48.

Nays—Messrs. Adams, Bourdeaux, Hogue, Johnson, Maddox, Nelson, Pettus, Walker—7.

By Mr. George—

H. B. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Ar-



rington, Benners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Cunningham, Dark, Davie, Dykes, George, Hardy, Higgins, Hogue, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Russell, Simmons, Smith, Stowers, Walker, Ward, Wiley, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Miller—

s. 329. To amend section 2772 of the Code.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Bevis, Bush, Blevins, Brown, Cochrane, Cornelius, Cunningham, Dark, Davie, Dykes, George, Hogue, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Summers, Smith, Stowers, Wade, Walker, Ward, Winston, Woolf, White of Dallas, White of Geneva—54.

By Mr. Long—

H. B. 910. To incorporate the town of Haleysville in the county of Winston.

The bill was amended, read the third time at length and passed—yeas 34, nays 17.

Yeas—Messrs. Anderson, Bolton, Bradley, Brown, Carter, Cochrane, Cunningham, Dark, Davie, Dykes, George, Higgins, Ledyard, Lewis, Longshore, Lowe, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Pitts, Porter, Pratt, Russell, Summers, Smisson, Stansel, Stowers, Webb, Winston, White of Geneva—34.

Nays—Messrs. Speaker, Adams, Bourdeaux, Bush, Hardy, Hogue, Hundley, Johnson, Kemp, Lay, Maddox, McLeod, Paine, Pettus, Powell, Smith, Wade—17.

By Mr. Pettus—

H. B. 884. To amend section 10 of the Code.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Hardy, Higgins, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, McRee,

Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Simmons, Smith, Stansel, Stowers, Wade, Walker, Webb, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Pratt—

H. B. 626. To regulate the taking up and confinement of stock running at large in certain stock law districts of Autauga county.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 48, nays 5.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Bush, Blevins, Bradley, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dykes, George, Hardy, Hogue, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, McLendon, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Ward, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—48.

Nays—Messrs. Bourdeaux, Hundley, Moseley, Nelson, Walker—5.

By Mr. Adams—

H. B. 772. To incorporate the Woodstock Academy of Bibb county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Davie, Dykes, George, Hampton, Hardy, Higgins, Hogue, Johnson, Kemp, King, Ledyard, Lee, Lewis, Maddox, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Summers, Smith, Stansel, Stowers, Wade, Walker, Ward, Webb, Wiley, Winston, White of Dallas, White of Geneva—54.

By Mr. Shorter, Mr. Pettus in the chair—

H. B. 489. To authorize the registration of claims of justices of the peace and notaries public, who are ex-officio justices of the peace and constables against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Carter, Clements, Cor-

nelius, Cunningham, Dark, Davie, Dykes, George, Hardy, Higgins, Hogue, Johnson, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Pratt, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Webb, Wiley, Winston, White of Dallas, White of Geneva—53.

By Mr. Davie—

s. 12. To provide for the interposition of claims in statutory detinue.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dark, George, Hardy, Higgins, Hogue, Hundley, Knight, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Summers, Smith, Stansel, Stowers, Wade, Webb, Wiley, Winston, White of Dallas, White of Geneva—56.

By Mr. Bush—

s. 350. To incorporate the Alabama Land & Immigration Company.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 46, nays 7.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, George, Hardy, Higgins, Hogue, Hundley, Johnson, King, Ledyard, Lee, Lewis, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, NeSmith, Nisbet, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smith, Stansel, Stowers, Walker, Webb, Wiley, White of Geneva—46.

Nays—Messrs. Bolton, Bourdeaux, Dark, Dykes, Long, Nelson, Winston—7.

By Mr. Powell—

H. B. 794. To amend section 4887 of the Code.

The bill was read the third time at length and passed—yeas 53, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Dark, George, Hardy, Higgins, Hogue, Hundley, Johnson, Knight, Ledyard, Lee, Lewis,

Longshore, Lowe, Maddox, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Russell, Summers, Smith, Stansel, Stowers, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—53.

Nay—Mr. Bourdeaux—1.

By Mr. Johnson—

H. B. 826. To amend section 17 of an act entitled an act to establish a charter for the city of Birmingham, approved February 17, 1883.

The bill was read the third time at length and passed—yeas 49, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochrane, Cunningham, Dark, George, Hardy, Higgins, Johnson, Lay, Ledyard, Lee, Longshore, Lowe, Moseley, McElvey, McLendon, McLeod, McRee, Paine, Patton, Pettus, Pitts, Porter, Pratt, Russell, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—49.

Nays—Messrs. Hogue, Hundley, Nisbet—3.

By Mr. Stowers—

s. 113. To prohibit the sale of eatables, confections, drinks or any other merchandise or goods at any camp ground association or any meeting in this State on Sunday.

On motion of Mr. McLeod, the bill was tabled.

By Mr. Hundley—

H. B. 692. To amend section 3682 of the Code of Alabama.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dykes, George, Hardy, Higgins, Hogue, Hundley, Kemp, King, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Moseley, McElvey, McLeod, McRee, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Ward, Webb, Wiley, Woolf, White of Dallas—53.

By Mr. King—

s. 420. For the relief of Mrs. Louisa Long of Butler county.

On motion of Mr. Adams the bill was tabled.

By Mr. Smith—

H. B. 648. To provide for the service of process in real actions where the defendant secretes himself.

The bill was read the third time at length and passed—yeas 53, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Carter, Cornelius, Cunningham, Dark, Davie, Hardy, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Russell, Summers, Smith, Stansel, Stowers, Wade, Ward, Wiley, Winston, Woolf, White of Dallas—53.

Nay—Mr. Hogue—1.

By Mr. Rattray—

s. 6. To incorporate the Alabama and Georgia Railroad Company.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 47, nays 10.

Yeas—Messrs. Allen, Arrington, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Davie, George, Higgins, Hundley, Knight, Ledyard, Lee, Lewis, Longshore, Lowe, Moseley, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—47.

Nays—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bourdeaux, Dark, Dykes, Kemp, Lay, Maddox—10.

By Mr. Dykes—

H. B. 947. To incorporate the Iron Belt Industrial and Improvement Company of Alabama.

Mr. Longshore moved to amend the bill by inserting in section 3 after the word, "increase," the words, "to two million dollars."

Carried.

The bill was read the third time at length.

Mr. Pettus moved to indefinitely postpone the further consideration of the bill.

Carried.

At 10:10 p. m., on motion of Mr. Anderson, the house adjourned till 9:30 a. m., to-morrow.

## FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, Feb. 21, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Adams, of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Petrus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—92.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted indefinitely to Messrs. Denson, Williams, Tatum and Stone and to page Burton, on account of sickness.

## SPECIAL ORDER.

s. 43. To amend sections 3, 6, 13 and 17 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887.

Mr. Nelson moved to amend by striking the word "Clay" out of section three.

Carried.

Mr. Rabb moved to amend by striking out "4738" in section 3, and inserting in lieu thereof "4299."

Carried.

The bill was read the third time at length and passed—yeas 51, nays 2.



Yeas—Messrs. Adams, Anderson, Bevis, Bolton, Bush, Cornelius, Cunningham, Darby, Dark, Davie, Dykes, Fitzpatrick, George, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Meador, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Patton, Pitts, Porter, Posey, Rabb, Russell, Simmons, Smith, Stansel, Stowers, Wade, Walker, Webb, Winston, Woolf, White of Dallas, White of Geneva—51.

Nays—Messrs. Brown and Pratt—2.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 845. To incorporate and establish a charter for the town of Childersburg in the county of Talladega.

H. B. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of DeKalb.

H. B. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

H. B. 932. To incorporate Pleasant Hill Academy, Pleasant Hill, Alabama.

H. B. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4th, 1879, and the various acts amendatory thereof.

B. M. MILLER,  
Chairman.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 7. To incorporate the Anniston Water Supply company.

s. 285. For the payment for official service of the sheriff of Barbour county for services rendered not otherwise provided for.

## FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,

Thursday, Feb. 21, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Adams, of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Petrus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—92.

The journal of yesterday was read and approved.

## LEAVE OF ABSENCE

Was granted indefinitely to Messrs. Denson, Williams, Tatum and Stone and to page Burton, on account of sickness.

## SPECIAL ORDER.

s. 43. To amend sections 3, 6, 13 and 17 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887.

Mr. Nelson moved to amend by striking the word "Clay" out of section three.

Carried.

Mr. Rabb moved to amend by striking out "4738" in section 3, and inserting in lieu thereof "4299."

Carried.

The bill was read the third time at length and passed—yeas 51, nays 2.

recess from Thursday, February 21st, until Saturday, February 23d, 1889.

2. Your committee further recommend that the two houses finally adjourn on Wednesday, February 27th, 1889, at 12 o'clock p. m.

Respectfully submitted,

B. M. HUEY,  
W. B. INGE,  
Com. on part of Senate.  
M. A. RABB,  
FRANCIS L. PETTUS,  
N. N. CLEMENTS,  
Com. on part of House.

The report of the committee was adopted, and the committee was discharged.

#### RESOLUTION.

Mr. Pettus offered the following resolution :

*Resolved by the house* (the senate concurring),

1. That the two houses take a recess from Thursday, February 21, 1889, until Saturday, February 23, 1889.

2. *Resolved further*, That the two houses finally adjourn on Wednesday, February 27, 1889, at 12 o'clock p. m.

Adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has amended as therein shown, and as amended, has passed,

H. B. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

And recedes from its second amendment to—

H. B. 702. For the better suppression of gambling.

And has originated and passed the following bills :

s. 405. To amend section 2044 of the Code.

s. 453. To authorize corporations to amend defects in their organization.

s. 390. To amend section 2680 of the Code.

So as to allow judgments in the same court to be set off on motion.

And concurs in the house amendments to—

s. 6. To incorporate the Alabama and Georgia railroad company.

s. 350. To incorporate the Alabama Land and Immigration company.

s. 34. To amend section 3932 of the Code.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read one time, and referred to the committee as follows:

s. 390, 405, 453, to judiciary.

The house concurred in the first senate amendment to the bill—

H. B. 470. The title of which is set forth in the above message.

Yeas 61, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, King, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Miller, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—61.

Nay—Mr. Adams—1.

And concurred in the second senate amendment to said House bill 470.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Johnson, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stowers, Wade, Walker, Ward, Webb, Winston, Woolf, White of Dallas—63.

And concurred in third senate amendment to said

House bill 470.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Bogart, Bolton, Bush, Bradley, Brown, Carter,  
Cochrane, Cunningham, Darby, Dark, Dupree, Fitzpatrick,  
George, Hampton, Hardy, Henderson, Higgins, Hundley, King,  
Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley,  
Meador, Miller, Moseley, McElvey, McLendon, Nelson, Ne-  
Smith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter,  
Powell, Pratt, Simmons, Smith, Stansel, Stowers, Wade, Walk-  
er, Ward, Webb, Winston, Woolf, White of Dallas—60.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By leave, by Mr. Lay—

H. B. 1028. To amend an act entitled an act to provide for  
returning and allowing proper credits for taxes wrongfully as-  
sessed and collected, approved December 6, 1888.

The bill was read the third time at length and passed—yeas  
56, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Bevis, Bogart, Bol-  
ton, Bush, Brown, Carter, Cornelius, Cunningham, Davie,  
Denson, Dupree, Dykes, Fitzpatrick, George, Hampton,  
Higgins, Hundley, Johnson, King, Knight, Lay, Lee, Maddox,  
Maley, Meador, Miller, Moseley, McElderry, McLeod, McRee,  
Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey,  
Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stow-  
ers, Wade, Walker, Webb, Winston, Woolf, White of Dallas,  
White of Geneva—51.

Nay—Mr. Bourdeaux—1.

By leave, by Mr. Pettus—

H. B. 649. To amend section 4492 of the Code.

Mr. Pettus moved to amend by striking out all after the  
word "imposed."

Carried.

The bill was read the third time at length and passed—yeas  
51, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bol-  
ton, Bush, Blevins, Carter, Clements, Cochrane, Cunningham,  
Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton,  
Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight,  
Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Meador,  
Miller, Moseley, McElderry, McLeod, Nelson, NeSmith, Nisbet,

Patton, Pettus, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Sowell, Smith, Stowers, Wade, Walker, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—51.

Nays—Messrs. Johnson, Summers --2.

By Mr. Knight—

s. 253. To amend and ratify the charter of the Birmingham Safe and Lock company, incorporated in Jefferson county, Alabama, under the general statutes of said State, and to extend and enlarge the powers of said company.

The bill was read the third time at length and passed—yeas 47, nays 7.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Fitzpatrick, Hampton, Hundley, Knight, Lay, Lee, Lewis, Longshore, Lowe, Maley, Meador, Moseley, McElderry, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Pratt, Simmons, Sowell, Smith, Stansel, Stowers, Ward, Webb, Woolf, White of Dallas—47.

Nays—Messrs. Benners, Dupree, Hardy, Maddox, Nelson, Winston, White of Geneva—7.

By Mr. Maley—

H. B. 1030. To amend section 12 of an act entitled an act to establish a new charter for the town of LaFayette in the county of Chambers, approved February 26, 1881.

The bill was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Lay, Lee, Lewis, Longshore, Lowe, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stowers, Wade, Walker, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. McLeod—

H. B. 1004. To regulate the fees of the sheriff of Clarke county.



The bill was read the third time at length and passed—yeas 66, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Lay, Lee, Lewis, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smith, Stansel, Stowers, Wade, Webb, Winston, Woolf, White of Dallas, White of Geneva—66.

Nay—Mr. Bourdeaux—1.

By Mr. White of Geneva—

s. 189. To amend section 4078 of the Code.

The bill was read the third time at length and lost—yeas 37, nays 40.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bogart, Bourdeaux, Bush, Bradley, Clements, Cornelius, Cunningham, George, Hampton, Hardy, Henderson, Knight, Lay, Ledyard, Lee, Lewis, Miller, Moseley, Nisbet, Patton, Pettus, Porter, Pratt, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, White of Dallas, White of Geneva—37.

Nays—Messrs. Adams, Allen, Bevis, Bolton, Blevins, Brown, Carter, Cochrane, Darby, Dark, Davie, Dupree, Dykes, Higgins, Hundley, Johnson, Kemp, King, Longshore, Maddox, Mancill, Maley, Meador, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Posey, Rabb, Rattary, Russell, Simmons, Summers, Webb, Winston, Woolf—40.

Mr. Winston, moved to reconsider the vote by which the foregoing bill was lost, and to lay that motion on the table.

The latter motion was lost and the motion to reconsider was postponed till to-morrow morning.

By Mr. Maddox—

H. B. 725. To amend section six of an act of the general assembly of Alabama, approved February 17, 1885, entitled an act to incorporate the St. Clair Coal Company.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 52, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bolton, Bush, Blevins, Bradley, Brown, Carter,

Cochrane, Cunningham, Dark, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Ledyard, Lee, Longshore, Maddox, Meador, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Russell, Sowell, Smaw, Smith, Stansel, Stowers, Wade, Walker, Ward, Winston, White of Geneva—52.

Nay—Mr. Rabb—1.

By Mr. Powell, (by leave)—

H. B. 494. For the protection of the health of female employes engaged in commercial pursuits.

The bill was read the third time at length and passed—yeas 60, nays 6.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Davie, Dupree, Dykes, Hundley, Johnson, Kemp, King, Ledyard, Longshore, Lowe, Maddox, Mancill, Meador, Miller, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smisson, Stansel, Stowers, Wade, Ward, Webb, Winston, Woolf—60.

Nays—Messrs. Benners, Dark, Knight, Pettus, Smith, White of Dallas—6.

By Mr. Woolf—

H. B. 1014. To provide for the settlement of certain claims against the State.

Mr. Smith offered the following amendment:

“Provided, that said board shall audit no claim which amounts to over the sum of five hundred dollars.”

Adopted.

Mr. Clements offered the following amendment:

“Provided further, that none of the bonds now outstanding and which were not adjusted by the commissioners to adjust the debt of the State, shall be considered without authority of the general assembly.”

Adopted.

The bill was read the third time at length and lost—yeas 22, nays 50.

Yeas—Messrs. Anderson, Arrington, Benners, Cornelius, Davie, Hardy, Knight, Lee, Meador, Miller, Moseley, McElderry, McLeod, Nisbet, Pettus, Pitts, Porter, Posey, Smisson, Smith, Woolf, White of Dallas—22.

Nays—Messrs. Speaker, Adams, Allen, Bevis, Bolton,

Bordeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Lay, Ledyard, Longshore, Maddox, Mancill, McElvey, McLendon, McRee, Nelson, Paine, Parker, Patton, Powell, Pratt, Rabb, Russell, Simmons, Sowell, Smaw, Stowers, Wade, Walker, Winston, White of Geneva—50.

By Mr. Nelson—

H. B. 634. To secure to the mortgagor an appraised value of his property when sold by the mortgagee.

Mr. Arrington moved to lay the bill on the table.

Carried.

Yeas 53, nays 13.

Yeas—Messrs. Anderson, Arrington, Benners, Bevis, Bolton, Bush, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Hampton, Hardy, Henderson, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Meador, Miller, Moseley, McLendon, McLeod, McRee, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Smaw, Smisson, Smith, Wade, Walker, Ward, Woolf, White of Dallas.—53.

Nays—Messrs. Speaker, Adams, Allen, Blevins, Davie, Dupree, Fitzpatrick, Higgins, Longshore, McElvey, Nelson, NeSmith, Winston—13.

By Mr. Allen—

H. B. 687. For the relief of E. C. Betts, late commissioner of agriculture.

Mr. Adams moved to table the bill; the motion was lost.

The bill went back on calendar, having been under consideration for ten minutes.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate concurs in the house joint resolution relative to adjournment.

W. L. CLAY,  
Secretary.

## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 21, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills 89 and 154.

THOS. H. CLARK,  
Recording Secretary.

The hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m. to-day.

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AFTERNOON SESSION.

The house re-assembled at 3 p. m.

A quorum was present.

RECONSIDERATION.

Mr. Stansel moved to reconsider the vote by which—

H. B. 649. To amend section 4492 of the Code,

Was passed this morning.

Carried.

Mr. Stansel offered the following amendment: "Provided, that no person shall be sentenced to hard labor for the county for a term exceeding two years."

Adopted.

The bill was read the third time at length and passed—yeas 38, nays 13.

Yeas—Mess. Speaker, Adams, Benners, Bevis, Billingslea, Bush, Brown, Clements, Cunningham, Darby, Dark, Dupree, George, Hampton, Hardy, Henderson, Higgins, Lay, Ledyard, Longshore, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nisbet, Pettus, Posey, Rabb, Rattray, Russell, Smith, Stansel, Wade, Ward, Webb, Woolf—38.

Nays—Messrs. Allen, Bolton, Blevins, Bradley, Carter, Kemp, Maddox, NeSmith, Porter, Powell, Simmons, Smisson, White of Geneva—13.

## SPECIAL ORDER.

H. B. 207. To amend section 968 of the Code, which relates to the meetings called by township trustees for the purpose of locating schools.

The substitute offered by the committee, with title as follows, was adopted :

H. B. 207. To amend subdivisions 1, 3 and 4 of section 968, also sections 971, 973, 974, 975, 976, 981, and 985 of the Code.

Mr. Cunningham moved to lay the bill on the table.

Carried.

## BILLS ON THIRD READING.

And bills were called up as follows :

By Mr. Summers—

s. 73. To provide for the registration of all claims against the fine and forfeiture fund of Colbert county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Allen, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Higgins, Hundley, King, Lee, Lewis, Mancill, Maley, Moseley, McElderry, McElvey, McRee, Nelson, Ne-Smith, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Watters, Weaver, Webb, Winston, Woolf, White of Geneva—54.

By Mr. Simmons—

H. B. 29. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clark, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, Hampton, Henderson, Hogue, Hundley, Kemp, King, Knight, Kyle, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McRee, Nelson, Nisbet, Parker, Pettus, Pitts, Porter, Powell, Rabb, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel—55.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following bills correctly enrolled:

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such solicitor, and to prescribe his powers and duties.

H. B. 470. To amend section 1 of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

H. B. 813. To repeal an act entitled an act to prevent the sale, giving away, or otherwise disposing of any spirituous, vinous liquors, intoxicating bitters, or any other intoxicating drinks, within the limits of Fayette county, and other places therein named, approved February 17, 1885, so far the same applies to Fayette county.

H. B. 435. To establish a county criminal court for Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

Joint resolution requesting representatives and instructing senators in congress to use their efforts to carry into effect in the States of Alabama and Mississippi, the existing compacts with those States.

Joint resolution authorizing the publication of the proceedings of the quarantine conference, to be held in March next.

Joint resolution to request our representatives and instruct our senators to use their efforts to secure such action on the part of congress as will enable the State of Alabama to receive for the purpose of education, certain lands granted by act of congress of September 4, 1841.

F. L. NISBET,  
Chairman *pro tem*.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 408. To amend the caption and section 1 of an act approved February 7, 1852, entitled "an act to incorporate the Baptist Female Institute at Moulton."

s. 253. To amend and ratify the charter of the Birming-



ham Safe and Lock Company, incorporated in Jefferson county, Alabama, under the general statutes of said State, and to extend and enlarge the powers of said company.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, and the joint resolutions, the titles of which are set out in the foregoing senate message, and report of committee on enrolled bills.

#### MESSAGE FROM THE GOVERNOR.

CHIEF EXECUTIVE OFFICE,  
MONTGOMERY, ALABAMA,  
February 21, 1889.

*Gentlemen of the Senate and House of Representatives :*

Since my induction into office, I have to report, in compliance with section 21 of an act

“To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved 17th December, 1874, and which was communicated to the general assembly by message of the governor, of 24th January, 1876, and to carry said settlement into effect by the issuance of new bonds of this State, at a reduced rate of interest, in adjustment of a portion of said indebtedness, and the surrender of certain securities held by the State in discharge of another portion of said indebtedness,” approved February 23, 1876; the following bond exchanges:

On May 25, 1887, I took up fifteen Alabama and Chattanooga endorsed bonds for \$1,000.00 each, numbered 2453, 2454, 2455, 2457 and 2458, July, 1872, coupon attached; 1729, 2145, 2648, 2759, 2760, 2761, 2762, 2763 and 2812, January, 1874, coupon on; and 2456, January, 1873, coupon on, on basis of \$191.24 each, less \$3.24 for each missing coupon after July, 1872, making \$2,777.88, and I issued in lieu thereof two class “C” bonds, numbered 962 and 963 January, 1888, coupon on, for \$1.000 each, and \$777.88 in scrip to balance, making \$2,777.88.

On August 12, 1887, I took up five A. and C. endorsed bonds for \$1,000 each, numbered 2800 with July, 1872, coupon on, 211 and 212 January, 1873, coupon on; and 1576 and 3676 July, 1873, coupon on, basis of \$191.24 each, less \$3.24 for each missing coupon after July, 1872, making \$1,082.60, and issued in lieu thereof one Class "C" bond for \$1,000, numbered 964 with January, 1888, coupon on, and \$82.60 in scrip to balance, making \$1,082.60.

On the same basis on October 26, 1887, I took up two A. and C. endorsed bonds numbered 4694 and 4695 with July, 1873, coupon on, for \$1,000 each, together with scrip under date May 25, 1887, for \$777.88, and issued in lieu thereof one class "C" bond numbered 965 with January, 1888, coupon on, for \$1,000, and \$147.40 in scrip to balance.

On the 20th of August, 1888, I took up two five per cent. stock certificates numbered 192 and 193, issued under act February 6, 1867, for 225 pounds each, with January, 1874, coupon on, at \$1,095 each; and two five per cent. stock certificates number 34 and 35, issued under act 15th December, 1865, and 13th February, 1866, for 22 pounds and 10 shillings each, with January, 1874, coupons on, at \$109.50 each; and issued in lieu thereof four class "A" bonds numbered 7354, 7355, 7356 and 7357, with January, 1889, coupon, for \$500 each; four numbered 9155, 9156, 9157 and 9158, with January, 1889, coupons, at \$100 each, and \$9.60 in scrip to balance, making \$2,409.00.

On the 21st August, 1888, for one eight per cent. bond number 276 for \$1,000 with January, 1874, coupon on, issued under act of December 15, 1871, I issued two class "A" bonds numbered 7358 and 7359, with January, 1889, coupon on, for \$500 each.

In September, 1888, I took up and cancelled three eight per cent. bonds for \$1,000 each, numbered 298, 299 and 300, with September, 1873, coupons attached, issued under act February 25, 1873, and issued in their stead six class "A" bonds numbered 7360, 7361, 7362, 7363, 7364 and 7365 for \$500 each, with January, 1889, coupon on.

For one eight per cent. bond number 277 for \$1,000 with July, 1874, coupon, issued under act December 15, 1871, I, on October 1, 1888, issued two class "A" bonds numbered 7366 and 7367, with July, 1888, coupon attached for \$500 each.

For bond number 125 for 225 pounds, with June, 1875, coupon attached, issued under act February 17, 1870, taken up

and cancelled on the 6th February, 1889, I issued two class "A" bonds numbered 7368 and 7369, with July, 1889, coupon attached, for \$500 each, and \$95 in scrip to balance.

I have caused accurate descriptions to be made of "all bonds, notes and evidences of debt of any kind against the State received under the provisions of this act," as I find filed here since November, 1878; and as provided by law, will have same burned in the presence of the secretary of State and attorney general.

In making the record referred to I ascertained that on the 20th June, 1879, in an exchange with Hollgarten & Co., of New York, they presented for exchange two eight per cent. bonds for \$500 each, numbered respectively 992 and 993, issued under act December 12, 1868, and received therefor, as appears from the record, four class "A" bonds of \$500 each, numbered 6786, 6787, 6788 and 6789, making an error in favor of Hollgarten & Co. and against the State of \$1,000.

I have been assured that this error, principal and interest, will be made good in a very short while.

THOS. SEAY.

The governor's message was read and referred to the committee on ways and means.

#### RESOLUTIONS.

By leave, resolutions were introduced as follows:

By Mr. Lay—

Whereas, the enrolling clerk incorrectly enrolled house bill 200—a bill to be entitled an act to amend an act to regulate the practice of pharmacy and the sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama;

And whereas, the governor has signed the bill so incorrectly enrolled, which is not the bill as passed by the two houses of this assembly;

*Resolved* (the senate concurring), that the governor be requested to erase his signature from said bill, and return the same to the house in order that the bill, as passed, be correctly enrolled.

Adopted.

By Mr. Rabb—

*Resolved*, that no member shall clap his hands or give other demonstration of approval or disapproval during the discussion of any question or the passage of any bill.

Which was referred to the committee on rules.

By Mr. Henderson—

*Resolved*, that the house continue in session until the call of counties is complete.

Which, on motion of Mr. Anderson, was laid on the table.

By Mr. Smith—

*Resolved*, that the house continue its session of to-day until 7:30 p. m., and adjourn to meet again Saturday next at 9:30 a. m.

Adopted.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed the following bills:

H. B. 879. To provide for the payment of costs on convictions of felony, where the defendant is sentenced to imprisonment in the penitentiary.

H. B. 885. To amend section 4563 of the Code.

H. B. 481. To authorize the governor to settle with D. G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer.

And has adopted a substitute for, and as substituted, has passed,

H. B. 25. To amend section 3027 of the Code of Alabama.

And has passed and ordered to the house without engrossment,

s. 448. To prevent trespass upon and damage to the property of the University of Alabama, and the Alabama Insane Hospital.

s. 361. To amend section 4504 of the Code.

s. 430. To amend section 4611 of the Code of Alabama.

s. 359. To amend section 4655 of the Code.

s. 363. To amend section 4648 of the Code.

s. 362. To amend section 4564 of the Code.

s. 386. To allow the commissioner of agriculture additional clerical force in his office.

s. 456. To require the several township superintendents of the State to report to the tax assessors of the respective counties a list of persons residing within their respective townships, and school districts subject to poll tax.

s. 425. To regulate pilotage into and out of Mobile harbor.

s. 402. To amend section 487 of the Code.

s. 383. To regulate the sale of certain prisons in this State.

And concurs in the house joint resolution relative to the error in the enrollment of the bill to regulate the practice of pharmacy and the sale of poisons in cities and towns of more than one thousand inhabitants in the State of Alabama.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

- s. 361, 359, 363, 362, 430, 425, 448, to judiciary.
- s. 386, to agriculture.
- s. 456, to education.
- s. 402, to revision of laws.
- s. 383, to public health.

On motion, the house concurred in the substitute adopted by the senate for—

H. B. 25. To amend section 3027 of the Code of Alabama.  
Yeas 39, nays 21.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bush, Brown, Cochrane, Cornelius, Dark, Fitzpatrick, Henderson, Higgins, King, Ledyard, Lee, Longshore, Lowe, Maley, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Simmons, Smith, Stansel, Stowers, Ward, Webb, Winston, White of Geneva—39.

Nays—Messrs. Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Cunningham, Dupree, Hampton, Hundley, Kemp, Lay, Lewis, Maddox, Mancill, McLendon, Pettus, Rat-tray, Weaver—21.

The house resumed consideration of

#### BILLS ON THIRD READING.

And bills were called up as follows :

By Mr. Lee—

H. B. 451. To amend section 1428 of the Code.

The bill was read the third time at length and passed—yeas 54, nays 1.

Yeas—Messrs. Adams, Benners, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Carter, Clements, Cunningham, Dark,

Dupree, Dykes, Files, Hampton, Hardy, Higgins. Hundley, Kemp, King, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Moseley, McElvey, McLeod, McRee, Nelson, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Stansel, Stowers, Wade, Weaver, Webb, White of Dallas, White of Geneva—54.

Nay—Mr. Johnson—1.

By Mr. Brown—

H. B. 636. To amend section 43 of the Code, so far as the same relates to Coosa county.

The bill was amended, read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hardy, Higgins, Hundley, Kemp, King, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Moseley, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Pettus, Porter, Posey, Powell, Simmons, Smaw, Smith, Stansel, Stowers, Ward, Winston, Woolf, White of Dallas, White of Geneva—52.

By Mr. Rabb—

H. B. 1027. To allow the trustees of the Douglassville Camp Ground to preserve order at said camp ground.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Anderson, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Clements, Cunningham, Dark, Dykes, Fitzpatrick, George, Hampton, Hardy, Higgins, Hundley, Johnson, Kemp, Lay, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Rabb, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Webb, Woolf, White of Geneva—51.

Nay—Mr. Moseley—1.

By Mr. Watson—

H. B. 462. To amend an act entitled an act to establish the city court of Birmingham, approved December 9, 1884.

The bill was amended, read the third time at length and passed—yeas 49, nays 3.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins,



Hundley, Johnson, Kemp, Lay, Ledyard, Longshore, Lowe, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Simmons, Sowell, Stansel, Woolf, White of Dallas—49.

Nays—Messrs. Bogart, Winston, Maddox—3.

By leave, by Mr. Clements—

H. B. 1011. To require the sheriffs of the counties in this State to keep a correct record in his office of each and every prisoner in jail.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Adams, Anderson, Benners, Bogart, Bolton, Bourdeaux, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Higgins, Hundley, Johnson, Kemp, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Rabb, Russell, Smith, Stansel, Stowers, Tatum, Wade, Webb, Woolf, White of Dallas, White of Geneva—54.

By Mr. Higgins—

H. B. 671. Ratifying, approving and confirming the action of the mayor and board of aldermen of Birmingham in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel building a portion of one of the public alleys in the city of Birmingham.

The bill was read the third time at length and passed—yeas 52, nays 7.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bogart, Bush, Blevins, Bradley, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hundley, Ledyard, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward, Webb, Winston, Woolf—52.

Nays—Messrs. Benners, Billingslea, Hardy, Lee, McElvey, White of Dallas—7.

By Mr. Pettus—

H. B. 833. To confer on the court of probate jurisdiction to ascertain heirship to persons dying intestate.

Mr. Pettus offered a substitute, which was adopted.

The bill was read the third time at length and passed—yeas 49, nays 3.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis,

Bogart, Bush, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Hardy, Higgins, Hundley, Kemp, Ledyard, Lee, Lewis, Lowe, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Parker, Patton, Pettus, Pitts, Posey, Rabb, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Wade, Ward, Webb, Winston, White of Dallas, White of Geneva—49.

Nays—Messrs. Bolton, Johnson, Maddox—3.

By Mr. Billingslea—

H. B. 1012. To amend section 1664 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 54, nays 5.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Fitzpatrick, Hampton, Hardy, Hundley, Kemp, Ledyard, Lee, Lewis, Maddox, Moseley, McElvey, McLendon, McLeod, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Ratray, Russell, Smaw, Stansel, Stowers, Wade, Ward, Webb, Winston, White of Dallas, White of Geneva—54.

Nays—Messrs. Bourdeaux, Dykes, Longshore, Nelson, Ne-Smith—5.

By leave, by Mr. Pitts—

H. B. 332. To amend section 2755 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-ners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Carter, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Hampton, Henderson, Higgins, Hundley, Johnson, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Russell, Smaw, Smisson, Smith, Wade, Webb, Winston, Woolf, White of Geneva—56.

By Mr. Pettus—

H. B. 650. To regulate the disposition of petitions in re-hearings in the supreme court.

The bill was read the third time at length and passed.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blev-

ins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Lay, Ledyard, Lee, Lewis, Maddox, Maley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Powell, Rabb, Rattray, Russell, Smaw, Smith, Stansel, Wade, Winston, Woolf, White of Dallas, White of Geneva—56.

By Mr. White of Dallas—

s. 17. To amend section 835 of the Code.

The bill was read the third time at length and passed—yeas 53, nays 1.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hardy, Higgins, Kemp, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Wade, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—58.

Nay—Mr. Johnson—1.

By Mr. Wade—

H. B. 989. To amend the title and also sections one and five of an act to authorize the mayor and board of aldermen of the city of Gadsden, to negotiate a loan for lighting said city, either by gas or electricity, for drainage, sewerage, and for sanitary purposes, and to issue bonds for the payment of the same.

The bill was read the third time at length and passed—yeas 62, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Johnson, Kemp, Lay, Ledyard, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Sowell, Smaw, Smisson, Smith, Stansel, Wade, Ward, Webb, Winston, Woolf, White of Dallas, White of Geneva—62.

By leave by Mr. Pettus—

s. 446. To amend sub-division 25 of section 13 of an act

entitled an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clements, Cochran, Cornelius, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Henderson, Hogue, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Maddox, Mancill, Meador, Miller, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Paine, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rattray, Russell, Simmons, Smisson, Stansel, Stone, Stowers, Wade, Walker, Ward, Weaver, Williams, White of Geneva—58.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has reconsidered and passed, notwithstanding the governor's veto, the bill,

s. 231. For the relief of Samuel J. Bolling and Warren R. Thagard, as sureties on the official bond of Jonathan L. Powell, as judge of probate for the county of Butler.

And herewith sends the same to the house with the objections of the governor.

#### OBJECTIONS OF THE GOVERNOR.

MONTGOMERY, ALA., }  
February 20, 1889. }

*Mr. President and Gentlemen of the Senate:*

I herewith return without my approval, senate bill 231, entitled "an act for the relief of Samuel J. Bolling and Warren R. Thagard, as sureties of the official bond of Jonathan L. Powell, as judge of probate for the county of Butler."

On or about the 11th day of May 1887, having received information that the accounts of one Powell, former judge of probate of Butler county, needed examination, I dispatched Mr. James A. Reeves, the examiner of public accounts, to Greenville, Alabama, with instructions to examine into the accounts of the former judge of probate with the State, and to make a full report thereon.

On the 12th day of August, 1887, the examiner made a very full and comprehensive report, wherein it appeared that there was a default to the State amounting in the aggregate to \$9,590.92.

This report is on file in the office of the auditor, subject of course, to public inspection.

The auditor was instructed to enquire into the sufficiency of the sureties, and if found sufficient, to collect the money. He reported the sufficiency of the sureties and the necessity for suit, in order to enforce the claim of the State. Two of the sureties applied for compromise to the board constituted by law, composed of the State auditor, then Mr. Burke, the present attorney-general, and the governor, and after hearing evidence touching the justice of the claim and the sufficiency of the sureties, it was the unanimous opinion that the claim was legal, just, amply secured, and that it should be collected. Thereupon, according to law, the claim was placed in the hands of the solicitor of the 2d judicial circuit, Mr. Stallings, and he, with the attorney-general, reduced the claim to judgment after a trial before a jury in the circuit court of Butler county, the home of the securities, who by this bill asked to be relieved.

Until some other mode for securing indemnity for defaults, other than the execution and delivery of official bonds, is established by law, I hold that it is just and entirely equitable that the sureties should make good their contract of indemnity to the State.

Mr. Powell was elected judge of probate of Butler county by the people thereof, but something more than election is necessary to the occupancy of the responsible office of judge of probate. The individual chosen by the people, is required to execute and deliver a bond for the faithful discharge of his duty. Sureties, in qualifying an officer elected, promise the State that they will make good his default. If the default occurs and the surety is amply solvent, there is, in my opinion, no room for questioning the duty of those to whom is entrusted the collection of the revenue of the State.

After the rendition of the judgment in the circuit court of Butler county, these sureties applied to the solicitor and attorney-general for delay as to a part of the claim of the State, and a delay of six months as to over half of the amount was granted to them by the solicitor and attorney-general, and their action received the approval of the board to which I have heretofore referred.

The proposition which would relieve these securities from paying interest on this debt, would also relieve them from paying the principal, and the establishment of this doctrine would require the State, in justice and equity, to return a great deal of money which has been collected from reluctant sureties.

In this case the default is acknowledged, the debt is confessedly just, and in my opinion the surety is ample.

THOS. SEAY.

WM. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house proceeded to reconsider the bill, s. 231. For the relief of Samuel J. Bolling and Warren R. Thagard, as sureties on the official bond of Jonathan L. Powell, as judge of probate of the county of Butler.

And after such reconsideration, a majority of the whole number of members elected to the house of representatives of Alabama voted for the passage of said bill, and the bill passed, the governor's veto to the contrary, notwithstanding.

Yeas 54, nays 19.

Yeas—Messrs. Speaker, Arrington, Benners, Bevis, Billingslea, Bush, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Johnson, Kemp, King, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, McElvey, McLendon, McRee, Nisbet, Paine, Patton, Pitts, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Ward, Weaver, Webb, Winston, Woolf, White of Dallas, White of Geneva—54.

Nays—Messrs. Allen, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Cunningham, Higgins, Hundley, Lay, Lowe, Maddox, Moseley, McElvey, McLeod, Nelson, NeSmith, Parker, Pettus, Porter—19.



## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 21, 1889.

*Mr. Speaker:*

The governor has approved the following bills which originated in the house:

House bills 3 and 37.

THOS. H. CLARK,  
Recording Secretary.

The hour of 7:30 p. m. having arrived, the house under the resolution adopted, stood adjourned till 9:30 a. m., Saturday, February 23, 1889.

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 FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,

SATURDAY, February 23, 1889.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Moore of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Tatum, Wade, Walker, Ward, Watson, Waters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—90.

## LEAVE OF ABSENCE

Leave of absence was granted to Messrs. Lee, Longshore, Summers, and Hogue, indefinitely, and to Mr. King for one day.

## RECONSIDERATION.

Mr. Davie moved to reconsider the vote by which,  
s. 189. To amend section 4078 of the Code,  
Was lost on Saturday.

Mr. McLeod moved to indefinitely postpone the consideration of the motion to reconsider.

Carried.

## MESSAGE FROM THE GOVERNOR.

CHIEF EXECUTIVE OFFICE,  
MONTGOMERY, ALABAMA,  
February 21st, 1889.

*Gentlemen of the Senate and House of Representatives :*

I have received the joint resolution requesting me to erase my official signature to an enrolled bill—

House bill No. 200. A bill to be entitled an act to amend an act to regulate the practice of pharmacy and the sale of poisons in cities and towns of not more than one thousand inhabitants in the State of Alabama;

And to return the same to the house of representatives in order that the bill may be correctly enrolled.

The bill, to which reference is made, was presented to me on the 15th of this month, signed on the 20th, and is now in the custody of the secretary of State.

I think that my official connection with the bill has ceased, and that I have not the right to erase my signature and return the bill.

Respectfully,  
THOS. SEAY.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 427. To confirm the incorporation and organization of the Lauderdale Manufacturing company, and to define and declare the powers of said company.

s. 181. To make it lawful to sell, give away or otherwise dispose of spirituous, vinous and malt liquors on the property fronting on the north side of Monroe street in the city of

Montgomery, except in the store fronting forty-five feet on said street at the corner of Court street.

s. 256. To regulate the survey and division of lands into lots and plotting the same.

s. 34. To amend section 3932 of the Code.

s. 76. To constitute the city of Tuscombua a separate school district, and to provide for the management of the public schools in said district.

s. 401. To fix the pay of the superintendent of education of the county of Perry.

s. 269. To incorporate an educational institute in the city of Demopolis, Alabama, under the name and style of "The Marengo Military Academy."

s. 384. To amend section 1759 of the Code, making Good Friday, Mardi-Gras, and the 26th day of April, legal holidays.

s. 329. To amend section 2772 of the Code.

s. 246. To incorporate the Jacksonville, Williamsport and Anniston Railroad company.

s. 216. To amend the charter of the Central City Building and Loan Association of Selma, Alabama.

s. 348. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal company of Alabama, and to amend the same.

s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

s. 247. To fix the times of holding the circuit courts in the several counties composing the seventh judicial circuit.

s. 339. To fix the times and places of holding the chancery courts of Cleburne and Cherokee counties.

s. 411. To make the clerk of the circuit court of Escambia county ex-officio clerk of the county court of said county.

s. 186. To revoke and nullify the charter of the town of Collegeton, in Talladega county, Alabama.

s. 443. For the relief of Mary Rogers, a minor of Lime-stone county.

s. 12. To provide for the interposition of claims in statutory detinue.

s. 17. To amend section 835 of the Code.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the

clerk, signed the bills, the titles of which are set out in the foregoing senate message.

#### BILLS ON SECOND READING.

The following bills were reported favorably from their appropriate committees:

s. 48. To confer certain rights and privileges in the State of Alabama upon the Helena, Tupelo and Decatur railroad company, a corporation chartered by the laws of the State of Mississippi, and for other purposes.

s. 386. To allow the commissioner of agriculture additional clerical force in his office.

s. 448. To prevent trespass upon and damage to the property of the University of Alabama, and the Alabama Insane Hospital.

s. 473. For the relief of James B. Conine, of Tallapoosa county.

s. 480. To incorporate the Orphan's Home of the North Alabama Annual Conference of the Methodist Episcopal Church, South.

H. B. 1034. To incorporate the Pensacola, Andalusia, Union Springs and Chattanooga Railroad company.

H. B. 1033. To amend section 791 of the Code of Alabama of 1886.

s. 359. To amend section 4655 of the Code.

s. 361. To amend section 4504 of the Code.

s. 362. To amend section 4564 of the Code.

s. 363. To amend section 4648 of the Code.

s. 390. To amend section 2680 of the Code.

s. 405. To amend section 2044 of the Code.

s. 453. To authorize corporations to amend defects in their organization.

s. 430. To amend section 4611 of the Code of Alabama.

The bills, whose titles are set forth above, were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 459. To equalize and fix the amount of the salaries of certain officers in this State.

s. 490. To alter and extend the corporate limits of the city of Anniston.

s. 492. To regulate the publication of notices of sales of personal property by sheriff in Winston county.

s. 464. To provide for the temporary use of cells and apartments in the penitentiary at Wetumpka for the safe keeping of prisoners required by law to be confined in the jail of Elmore county.

s. 441. To amend an act entitled "an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton," so far as the same relates to Marshall county.

s. 316. To relieve G. B. Adair, of Tallapoosa county, of the disabilities of non-age.

s. 479. To amend section one of an act approved February 6, 1885, entitled an act to amend section 4414 of the Code.

s. 474. To amend section 1681 of the Code.

s. 500. To amend an act to incorporate the city of Wetumpka, approved January 30, 1839.

s. 413. To protect the property and franchises of cities and towns from being improperly acquired by corporations, firms and individuals.

s. 476. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

s. 495. To amend sections two and four of an act entitled an act to provide for a vote of the people, on the subject of a permanent location of the county site of St. Clair county.

s. 438. To provide for the relief of tax payers, who have erroneously paid taxes in counties adjacent to the counties wherein their lands are situated.

s. 493. To authorize the governor to negotiate temporary loans, not exceeding one hundred thousand dollars.

s. 502. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city not to exceed fifteen thousand dollars, to purchase the Wetumpka bridge and make the same free to the public.

s. 452. For the relief of A. G. Franklin of DeKalb county, Alabama.

s. 486. To incorporate the Anniston Loan and Trust Company of Anniston, Alabama.

s. 125. To amend the charter of the "People's Savings Bank," a corporation organized in the county of Jefferson,

under the general laws of the State of Alabama, so as to change its name to the "People's Savings Bank and Trust Company," and so as to confirm, in said corporation, under the name of the "People's Savings Bank and Trust Company," all the rights, powers and privileges that were vested in it under the name of the "People's Savings Bank," and so as to enlarge the powers, rights, franchises and privileges of said corporation.

s. 472. To amend section 3962 of the Code.

s. 471. To amend sub-division one of section 841 of the Code.

s. 496. To amend section 465 of the Code, so far as the same applies to the county of Lowndes.

s. 367. To amend section 2551 of the Code.

s. 499. To authorize and require the Sheriff of Elmore county, to receive in the county jail all persons arrested or convicted for a violation of the ordinances of the city Wetumpka.

s. 489. To amend an act to amend section 4461 of the Code of 1886, approved February 28, 1887, so far as the same relates to Crenshaw county.

And has passed.

H. B. 806. To establish and create a district in Limestone county, in which it shall be unlawful to permit hogs to run at large.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

s. 459, 413, 125, 472, 471, 367, to judiciary.

s. 490, 486, to corporations.

s. 492, 316, 479, 474, to revision of laws.

s. 464, to Penitentiary and criminal administration.

s. 441, to temperance.

s. 500, to a special committee.

s. 476, 502, 496, 499, 489, to local legislation.

s. 495, to counties and county boundaries.

s. 438, 493, to ways and means.

s. 452, to accounts and claims.



## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Blevins—

H. B. 124. To reduce and fix the commissions of the tax collector of DeKalb county.

Mr. Blevins offered the following amendment, "Provided this act shall not go into effect until after the first day of January, 1890."

The bill was read the third time at length and passed—yeas 49, nays 3.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Bevis, Bogart, Bolton, Blevins, Bradley, Brown, Clements, Cunningham, Dark, Dupree, Dykes, George, Hampton, Henderson, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Long, Lowe, Maddox, Maley, McElderry, McLendon, McLeod, Nelson, Nisbet, Parker, Patton, Porter, Posey, Powell, Simmons, Smisson, Stowers, Walker, Ward, Watters, Webb, Wiley, Winston, Woolf, White of Geneva—49.

Nays—Messrs. Billingslea, Moseley, Pitts—3.

By Mr. Smisson—

s. 398. To appropriate the two and three per cent. fund.

Mr. White of Dallas, offered the following amendment :

Amend by striking out the word "twenty four" in first line of section 1, and inserting in lieu thereof the word "fifteen."

Mr. Wiley moved to table the amendment.

Carried.

Yeas 52, nays 15.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bolton, Bourdeaux, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hundley, Kemp, Ledyard, Lewis, Long, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McRee, NeSmith, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Stansel, Stowers, Wade, Walker, Ward, Weaver, Webb, Wiley, Williams, White of Geneva—52.

Nays—Messrs. Adams, Billingslea, Cochrane, George, Hardy, Johnson, Knight, Maddox, Nelson, Nisbet, Paine, Rabb, Smith, Winston, White of Dallas—15.

Mr. Lowe moved to recommit the bill to the committee on ways and means, which, on motion of Mr. Wiley, was laid upon the table.

Mr. Adams moved to indefinitely postpone the further consideration of the bill.

Lost.

Mr. Johnson offered the following amendment, which was lost :

Amend by adding the following :

Provided, that five per cent. of all the amounts mentioned in the bill is hereby appropriated to the Birmingham Mineral Railroad, a railroad located between Birmingham and Huntsville, Alabama. Provided further, that said railroad shall be completed within twelve months from the passage of this act.

Mr. Pitts offered the following amendment, which was adopted :

Amend by substituting the word "Newbern" for the word "Marion" wherever it occurs in the bill.

Mr. Smith offered the following amendments :

Amend by striking out "twenty-four" in the first line of section one, and inserting in the place thereof the word "nineteen."

And by striking out the words "ten" where they occur in lines six and seven in section one, and inserting in the place thereof the words "nine thousand five hundred," and by striking out all the words in line 8, occurring after the word "county."

Amend section two by striking out the word "nineteen" in the first line, and inserting in the place thereof the word "fifteen ;"

And by striking out of said section the word "ten" where it occurs in line eleven, and inserting in the place thereof the word "nine."

Amend section three by striking out the word "nine" in the first line, and inserting in the place thereof the word "eight."

Amend by inserting a section following section two, in the following words, to-wit :

Section 2½. Be it further enacted, That the sum of ten thousand dollars of the said two and three per cent. fund now in the treasury of Alabama be, and the same is hereby appropriated to the Savannah, Anniston and Montgomery Railway, a corporation authorized by an act of the general assembly of Alabama, to construct a railroad into the State of Alabama from a point on the State line in Russell county to the city of Montgomery in this State ; five thousand dollars of said appropriation to be paid when said corporation has graded its road bed through Russell county, and the balance when the

remainder of the grading is completed to the said city of Montgomery.

Mr. Wiley moved to lay the above proposed amendment on the table.

Carried.

Yeas 42, nays 32.

Yeas—Messrs. Allen, Benners, Bevis, Bolton, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dykes, Fitzpatrick, Henderson, Higgins, Hundley, Kemp, Ledyard, Lewis, Long, Meador, Moseley, McElderry, McLendon, NeSmith, Parker, Patton, Pitts, Posey, Pratt, Rattray, Simmons, Smaw, Smisson, Stansel, Wade, Ward, Watters, Webb, Wiley, Woolf, White of Geneva—42.

Nays—Messrs. Speaker, Adams, Billingslea, Bogart, Blevins, Dark, Davie, Fitzpatrick, George, Hampton, Hardy, Hundley, Johnson, Knight, Kyle, Lowe, Maddox, Mancill, Maley, Miller, McElvey, McRee, Nisbet, Paine, Porter, Powell, Rabb, Russell, Smith, Walker, Weaver, Williams, Winston, White of Dallas—32.

The bill was read the third time at length and passed—yeas 56, nays 14.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bolton, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Higgins, Hundley, Kemp, Knight, Lay, Lee, Lewis, Meador, Moseley, McElderry, McElvey, McLeod, McRee, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watters, Webb, Wiley, Williams, Woolf, White of Geneva—56.

Nays—Messrs. Billingslea, Bogart, Hardy, Henderson, Ledyard, Long, Lowe, Maddox, Mancill, Paine, Rabb, Weaver, Winston, White of Dallas—14.

Mr. Wiley moved to reconsider the vote by which the bill passed, and to table that motion.

The latter motion prevailed.

By Mr. Watters—

s. 282. To amend an act to regulate the disbursement of the proceeds derived from the hire of convicts in Marengo county, approved December 9, 1886.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Brown, Carter, Clem-

ents, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Hogue, Kemp, Knight, Lay, Ledyard, Long, Lowe, Maley, Meador, Miller, Moseley, McElvey, McLendon, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Powell, Russell, Stansel, Walker, Ward, Weaver, Webb, Williams, Woolf—54.

By Mr. Bolton—

s. 268. For the relief of Arthur Vinson of Franklin county.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Dykes, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Long, Lowe, Mancill, Maley, Meador, Moseley, McElvey, McLendon, McRee, Nelson, NeSmith, Nisbet, Paine, Patton, Pitts, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smisson, Stansel, Stowers, Walker, Ward, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—55.

By Mr. White of Geneva—

H. B. 595. For the relief of A. Sweat of Henry county.

The bill was read the third time at length and passed—yeas 46, nays 11.

Yeas—Messrs. Arrington, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, George, Hampton, Kemp, Knight, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, McElderry, McElvey, McLendon, McRee, Nisbet, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Smisson, Smith, Stansel, Stowers, Ward, Webb, Williams, Woolf, White of Dallas, White of Geneva—46.

Nays—Messrs. Adams, Benners, Bolton, Dark, Dupree, Dykes, Johnson, Nelson, NeSmith, Walker, Winston—11.

By Mr. Bradley—

H. B. 537. To amend section 4035 of the Code of Alabama, so far as the same relates to Lamar county.

Mr. Allen moved to amend by inserting "Cleburne, Randolph, Bibb, Chambers" in the title and body of the bill. Carried.

The bill was read the third time at length and passed—yeas 61, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Clements, Cochrane,

Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smith, Stansel, Stowers, Walker, Watters, Webb, Woolf, White of Geneva—61.

Nays—Messrs. Dykes, Johnson, Russell—3.

By Mr. Patton—

H. B. 776. To authorize Mrs. Johan R. Vance, widow of John M. Vance, deceased, to sell certain lands in Tuscaloosa and Bibb counties belonging to the estate of the said John M. Vance, deceased, at private or public sale, as may be deemed for the best interest of said estate.

The bill was read the third time at length and passed—yeas 57, nays 3.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bolton, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lewis, Long, Lowe, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Patton, Posey, Powell, Pratt, Rabb, Ratray, Russell, Simmons, Smisson, Stansel, Ward, Watters, Weaver, Williams, Winston, Woolf, White of Geneva—57.

Nays—Messrs. Benners, Porter, Smith—3.

By. Mr. Smaw—

H. B. 706. To fix the fees and charges for impounding animals in the city of Mobile.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Adams, Allen, Benners, Billingslea, Bogart, Clements, Cochrane, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Ledyard, Lewis, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rabb, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Ward, Williams, Woolf—55.

By Mr. Knight—

s. 190. To incorporate the Alabama Fuel, Light and Power Manufacturing and Supply Company.

The amendments offered by the committee were adopted. Mr. Pettus offered an amendment as follows :

Provided, the provisions of this bill shall not apply to the counties of Dallas, Pike and Montgomery, and that no probate or other court in this State shall have the power to confer said power upon said company, and said corporation shall not have or exercise any of its powers or franchises in said counties.

Adopted.

Pending consideration of the bill, the hour of 1:30 p. m. having arrived, the house stood adjourned till 3 p. m. to-day.

#### AFTERNOON SESSION.

The house re-assembled at 3 p. m.  
A quorum was present.

#### UNFINISHED BUSINESS.

The house resumed consideration of  
s. 190. To incorporate the Alabama Fuel, Light and Power Manufacturing and Supply Company.

Mr. Shorter, Mr. Pettus in the chair, offered amendments, which were adopted.

The bill was read the third time at length and passed—yeas 59, nays 8.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins,  
Bradley, Brown, Carter, Clements, Cornelius, Cunningham,  
Darby, Dark, Davie, Fitzpatrick, George, Hampton, Hardy,  
Henderson, Higgins, Hundley, Johnson, Kemp, Knight,  
Ledyard, Lewis, Long, Lowe, Maddox, Mancill, Maley,  
Meador, Miller, Moseley, McElvey, McLendon, McLeod,  
McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton,  
Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell,  
Simmons, Smaw, Smisson, Stansel, Walker, Ward, Watters,  
Weaver, Williams, Winston, Woolf, White of Geneva—59.

Nays—Messrs. Anderson, Benners, Billingslea, Cochrane,  
Dupree, Dykes, Smith, Wiley—8.

Mr. Pitts moved to reconsider the vote passing the bill and to table that motion.

The latter motion prevailed.



BILLS ON THIRD READING.

Bills were called up as follows:

By Mr. Parker—

s. 450. To amend section four of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

The bill was read the third time at length and passed—yeas 45, nays 16.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Bogart, Bush, Brown, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Johnson, Kemp, Knight, Ledyard, Lewis, Lowe, Maley, Meador, Miller, Moseley, McElvey, Nelson, NeSmith, Nisbet, Paine, Patton, Pettus, Porter, Posey, Russell, Wade, Walker, Watters, Weaver, Webb, Woolf, White of Geneva—45.

Nays — Messrs. Adams, Allen, Arrington, Bourdeaux, Blevins, Bradley, Dykes, Maddox, Mancill, McLendon, McLeod, Powell, Rabb, Simmons, Wiley, Winston—16.

Mr. Benners moved to reconsider the vote by which the bill just passed did pass, and under the rules the consideration of the motion goes over till Monday morning.

By Mr. Benners—

H. B. 972. To require the probate judge of Hale county to make indexes, direct and cross, to all deeds and other conveyances recorded in his office, setting out name of each grantor and grantee, and providing his compensation for same.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Knight, Lay, Lowe, Maley, Miller, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Powell, Rabb, Russell, Simmons, Smaw, Smisson, Stansel, Wade, Walker, Ward, Weaver, Webb, White of Geneva—55.

ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled :

H. B. 702. For the better suppression of gambling.

H. B. 84. To amend section 3089 of the Code, so far as the same applies to Sumter county.

H. B. 25. To amend section 3027 of the Code of Alabama.

H. B. 481. To authorize the governor to settle with D. G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer.

H. B. 879. To provide for the payment of costs on convictions of felony, where the defendant is sentenced to imprisonment in the penitentiary.

H. B. 885. To amend section 4563 of the Code.

H. B. 773. To amend an act entitled an act to establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, approved February 16, 1883.

H. B. 545. To amend section 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123 of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885, which last act was approved February 28, 1887.

B. M. MILLER,  
Chairman of Committee.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bill, your signature thereto is requested :

s. 350. To incorporate the Alabama Land and Immigration Company.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the above report of committee on enrolled bills, and the foregoing senate message.

## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

February 23, 1889.

*Mr. Speaker :*

The governor has signed the following bills, which originated in the house :

House bills 612, 736, 447, 677, 241, 810, 856, 652 ; and

Joint resolution relative to compacts between the Federal government and the States of Alabama and Mississippi.

Joint resolution relative to certain lands sought to be made available for school purposes.

Joint resolution relative to publication of the quarantine conference proceedings.

THOS. H. CLARK,  
Recording Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed the following bills :

s. 357. To amend the quarantine laws of the State.

s. 504. To prevent stock from running at large in certain portions of beat 8, in Elmore county.

s. 498. To relieve Susan Elder, of Mobile county, from the disabilities of non-age.

s. 236. To amend sections 2 and 6 of an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 16, 1885.

And has passed the following bills :

H. B. 881. To incorporate the Tennessee River and Birmingham Railroad Company, to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

H. B. 55. To provide for the sale of property of minors in order to remove the proceeds thereof from the State.

H. B. 723. To authorize the judge of the circuit court to fix by an order, entered on the minutes of the court, the time when the criminal docket may be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

H. B. 788. To amend an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money.

And has amended as therein shown, and as amended has passed

H. B. 49. To appropriate five thousand dollars to aid in the erection of a monument to the Alabama soldiers, who fell in the late war between the States.

And has amended by way of substitute, and as amended, has passed

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7 of section 454 of the Code of 1886.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows :

s. 357, to public health.

s. 504, to a special committee consisting of Messrs. Parker, Pitts and Watters, with leave to report at any time.

s. 498, to ways and means.

s. 236, to counties and county boundaries.

On motion, the house concurred in the senate amendment to house bill 49, the title of which is set out in the above senate message.

Yeas 53, nays 4.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Johnson, Knight, Lay, Lewis, Lowe, Maddox, Meador, Moseley, McLeod, McRee, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Rattray, Simmons, Smisson, Stansel, Wade, Walker, Ward, Watters, Weaver, Williams, White of Dallas, White of Geneva—53.

Nays—Messrs. Adams, Blevins, Dupree, Nelson—4.

On motion of Mr. Lay, the house non-concurred in the senate amendment to—

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7 of section 454 of the Code of 1886.

The house resumed consideration of—

#### BILLS ON THIRD READING.

And bills were called up as follows:

By Mr. Ward—

H. B. 445. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon street and suburban railways within the city limits.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bogart, Bush, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lewis, Longshore, Lowe, Mancill, Maley, Moseley, McElvey, McLeod, McRee, Nelson, Parker, Patton, Pettus, Porter, Posey, Pratt, Rat-tray, Smaw, Smisson, Simmons, Smith, Stansel, Wade, Walker, Ward, Weaver, Webb, Woolf, White of Geneva—56.

By Mr. Bogart—

H. B. 811. To protect the owners of land or fences in the waters of Dry Creek in the county of Jackson.

The bill was read the third time at length and passed—yeas 56, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Billingslea, Bogart, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Kemp, Knight, Ledyard, Lewis, Lowe, Mancill, Mayley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Porter, Powell, Simmons, Smisson, Smith, Stansel, Wade, Walker, Ward, Weaver, Williams, Winston, Woolf, White of Dallas—56.

Nay—Mr. French—1.

By Mr. Bogart—

H. B. 663. To fix the pay of the county commissioners and judge of probate of Jefferson county.

Mr. Lowe offered an amendment, which was adopted.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dykes, Fitzpatrick, Hampton, Hardy, Higgins, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton,

Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Stansel, Walker, Ward, Watters, Weaver, Webb, Williams, Winston—59.

By Mr. Wade—

H. B. 4'6. To repeal an act entitled an act to constitute the town of Blountsville and vicinity in Blount county, a separate school district.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, Hampton, Hardy, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lewis, Lowe, Mancill, Maley, Meador, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Smisson, Stansel, Wade, Walker, Ward, Weaver, Webb—53.

By Mr. Lowe—

H. B. 672. To establish a charter for the town of Avondale in Jefferson county.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Blevins, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Hundley, Kemp, Knight, Lay, Lowe, Maddox, Maley, Meador, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Powell, Pratt, Russell, Simmons, Smaw, Stansel, Wade, Walker, Weaver, Webb, Williams, White of Geneva—52.

By Mr. Porter—

H. B. 222. For the proper ventilation and conduct of coal mines or collieries in the State of Alabama, and providing for the creation of a State board of examiners, for the examination of candidates for the office of mines inspector, and prescribing the mode of such inspector's appointment, duties and term of office, and providing for his compensation, and that of the examiners.

Various amendments were adopted.

Pending consideration, the hour of six p. m. arrived, and the house stood adjourned till 8 p. m. to-day.



## NIGHT SESSION.

The house re-assembled at 8 p. m.

A quorum was present.

## UNFINISHED BUSINESS.

The house resumed consideration of—

H. B. 222. For the proper ventilation and conduct of coal mines or collieries in the State of Alabama, and providing for appointment and compensation of board of examiners for mines, foreman, and of a mine inspector.

Mr. Arrington moved to table the bill and amendments.

Carried.

Yeas 40, nays 20.

Yeas—Messrs. Allen, Arrington, Benners, Billingslea, Bourdeaux, Blevins, Brown, Clements, Cornelius, Cunningham, Dark, Dupree, George, Hardy, Knight, Lay, Mancill, Maley, Miller, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Posey, Powell, Pratt, Russell, Smaw, Smisson, Smith, Walker, Ward, Weaver, Webb, Wiley, White of Geneva—40.

Nays—Messrs. Speaker, Adams, Bevis, Bogart, Bradley, Dykes, Henderson, Higgins, Ledyard, Lewis, Maddox, Moseley, NeSmith, Patton, Pitts, Porter, Rattray, Stansel, Winston, White of Dallas—20.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. George, by leave—

H. B. 245. To authorize the election of an additional major in each regiment of State Troops.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Blevins, Brown, Clements, Cunningham, Dark, Dupree, George, Hampton, Hardy, Henderson, Higgins, Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Rattray, Russell, Smaw, Smisson, Stansel, Wade, Walker, Ward, Weaver, Webb, Winston, White of Dallas, White of Geneva—55.

By Mr. Lay, by leave—

H. B. 963. To authorize Alex. D. Coffee to establish a ferry across the Tennessee river.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Carter, Cochrane, Cunningham, Dark, Dykes, George, Hampton, Hardy, Henderson, Higgins, Knight, Lay, Ledyard, Mancill, Maley, Miller, Moseley, McElvey, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Powell, Pratt, Smaw, Smisson, Smith, Stansel, Walker, Ward, Weavers, Webb, Wiley, Winston, White of Dallas, White of Geneva—51.

Nays—Mr. Maddox—1.

Also, by leave,

H. B. 803. To incorporate the Alabama Loan and Banking company.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, George, Henderson, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Smaw, Smisson, Smith, Stansel, Walker, Ward, Watters, Weaver, Webb, Wiley, White of Geneva—54.

By Mr. Bradley—

H. B. 302. To repeal an act entitled an act for the preservation of game animals and birds, in the counties of Mobile, Talladega, and other counties, approved February 13, 1879, so far as the same relates to beat No. 7, in the county of Talladega.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, George, Hardy, Henderson, Higgins, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Miller, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Smaw, Smisson, Smith, Stansel, Walker, Ward, Weaver, Webb, Wiley, Winston, White of Dallas, White of Geneva—57.

By Mr. Cunningham—

s. 389. To incorporate the Florence Educational, Land and Development Company.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, George, Hardy, Henderson, Johnson, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pitts, Porter, Posey, Pratt, Smaw, Smisson, Smith, Stansel, Walker, Weaver, Webb, Wiley, Winston—55.

Also,

H. B. 601. To amend and vacate the incorporation of the town of Broken Arrow.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, George, Hardy, Johnson, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Pratt, Smaw, Smisson, Smith, Walker, Weaver, Webb, Wiley, White of Dallas, White of Geneva—53.

By Mr. NeSmith—

s. 121. For the relief of J. P. Ford, late tax assessor of Marion county.

The bill was read the third time at length and passed—yeas 48, nays 5.

Yeas—Mess. Speaker, Adams, Allen, Benners, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dupree, Hardy, Henderson, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Russell, Smisson, Smith, Stansel, Walker, Weaver, Webb, Wiley, Winston, White of Dallas, White of Geneva—48.

Nays—Messrs. Higgins, Johnson, Mancill, Nelson, Walker—5.

By Mr. NeSmith—

s. 219. To amend section 1 of an act entitled an act to

establish partial stock law districts in Talladega county, so as to include precincts 5 and 1 in said county.

Mr. Webb offered the following amendment: "amend by including section 36, township 18, range 4, in precinct No. 7, east of the Mountain, known as the Giant at Rest."

Adopted.

The bill was read the third time at length and passed—yeas 54, nays 6.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Files, George, Hardy, Henderson, Higgins, Johnson, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Smaw, Smith, Walker, Weaver, Webb, White of Dallas, White of Geneva—54.

By Mr. Maley—

H. B. 678. To refund to Adolphus Stevens and others, taxes improperly collected from them.

The bill was read the third time at length,

And on motion of Mr. Lay, was laid upon the table.

By Mr. Maley—

s. 70. To amend section 3012 of the Code.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Dupree, Dykes, Hardy, Henderson, Higgins, Johnson, Knight, Ledyard, Lewis, Lowe, Maddox, Maley, Miller, Moseley, McElvey, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Russell, Smaw, Smisson, Smith, Stansel, Walker, Weaver, Webb, Winston, White of Dallas, White of Geneva—52.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has amended as therein shown, and as amended has passed the house bills,

H. B. 797. For the relief of Joseph W. Cunningham and Mrs. A. A. York of Clarke county.

H. B. 417. To provide for the publication of the acts of the present session of the general assembly.

H. B. 398. To repeal the incorporation of the town of Blount Springs in Blount county.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate amendment to

H. B. 797. For the relief of Joseph W. Cunningham and Mrs. A. A. York of Clarke county.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Hardy, Higgins, Knight, Ledyard, Lewis, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Smaw, Smisson, Stansel, Walker, Ward, Weaver, Webb, Wiley, Winston, White of Dallas, White of Geneva—55.

Also, concurred in the senate amendment to

H. B. 417. To provide for the publication of the acts of the present session of the general assembly.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, George, Hardy, Henderson, Higgins, Knight, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, McRee, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Smaw, Smisson, Smith, Stansel, Walker, Ward, Weaver, Webb, Wiley, Winston, White of Dallas, White of Geneva—55.

Also, in the senate amendment to

H. B. 398. To repeal the incorporation of the town of Blount Springs, in Blount county.

Yeas 52, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, George, Hampton, Hardy, Henderson, Higgins, Kemp, Knight, Lay, Ledyard, Lewis, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Powell, Pratt,

Smaw, Stansel, Walker, Ward, Weaver, Webb, Wiley, Winston, White of Geneva—52.

Nay—Mr. Dykes—1.

At 10:30 p. m., on motion of Mr. Bourdeaux, the house adjourned till 9:30 a. m. Monday next.

## FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

Monday, Feb. 25, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Moore of the city.

Present—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clark, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Petrus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Sowell, Summers, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—93.

The journal of Saturday was read and approved.

### LEAVE OF ABSENCE

Was granted to Mr. Hardy indefinitely, after to-day, on account of sickness.

### RECONSIDERATION.

The motion of Mr. Benners to reconsider the vote by which

s. 450. To amend section four of an act to pay salaries to solicitors instead of fees which they now receive, and require said fees to be paid into the State treasury, approved February 28, 1887,



Was taken up for consideration, and the vote by which the bill passed was reconsidered.

The bill was lost—yeas 25, nays 41.

Yeas—Messrs. Speaker, Anderson, Bush, Brown, Cochran, Cornelius, Fitzpatrick, George, Hampton, Hardy, Henderson, Knight, Miller, McElderry, Nisbet, Porter, Russell, Smith, Wade, Watters, Webb, Wiley, Woolf, White of Dallas—25.

Nays—Messrs. Adams, Allen, Arrington, Benners, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Carter, Cunningham, Dark, Dupree, Dykes, Hundley, Kemp, King, Lay, Lee, Long, Maddox, Maley, Meador, McLendon, Nelson, Paine, Parker, Patton, Posey, Powell, Rabb, Ratray, Simmons, Smaw, Stansel, Walker, Watson, Weaver, Wiley, Woolf, White of Dallas—41.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

H. B. 200. To amend sections 1, 2 and 11 of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

H. B. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State Agricultural Society, approved February 22, 1887.

H. B. 410. To amend an act to authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads, in the same manner as now provided by law for taking private property for railroads and other public uses, approved December the 10th, 1886, and to allow said street railroad companies to use steam or electric force, or mechanical power or animals, as they may deem expedient.

H. B. 389. To repeal section 13 of an act entitled an act to incorporate the town of Eunola, in Geneva county, Alabama, approved February 17, 1885.

H. B. 782. To amend an act entitled an act to incorporate the town of Town Creek in Lawrence county, Alabama, approved March 8, 1875.

H. B. 859. To amend section 1085 of the Code of Alabama.

H. B. 757. To repeal an act entitled an act to authorize the court of county commissioners of Elmore county to erect a bridge across the Coosa river at Wetumpka, and to issue bonds to pay for the same.

H. B. 697. For the relief of S. H. and W. S. Askew, of the county of Marengo.

H. B. 619. For the relief of W. A. Stephens, sheriff of Cleburne county.

H. B. 832. To ratify, confirm and legalize the acts and the orders of the commissioners' court of Barbour county, in establishing districts in which stock shall be prohibited from running at large.

H. B. 359. To require justices of the peace to furnish itemized bills of costs to suitors.

H. B. 695. To grant to the Dayton and Faunsdale railroad company the right of way through section sixteen (16) in township seventeen (17), range five (5), east, in Marengo county.

H. B. 398. To repeal the incorporation of the town of Blount Springs in Blount county, incorporated under the general laws of this State.

H. B. 417. To provide for the publication of the acts of the present session of the general assembly.

H. B. 731. To provide for conducting farmers' institutes in the State of Alabama.

H. B. 49. To appropriate five thousand dollars to aid in the erection of a monument to the Alabama soldiers who fell in the late war between the States.

H. B. 594. Concerning sites for light-houses and other aids to navigation.

H. B. 806. To establish and create a district in Limestone county in which it shall be unlawful to permit hogs to run at large.

H. B. 518. To amend section 4 of an act to divide the State of Alabama into four chancery divisions, approved February 28th, 1887, as to the 14th and 15th districts of the Northwestern chancery division.

H. B. 788. To amend an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money.

H. B. 723. To authorize the judge of the circuit court to fix, by an order entered upon the minutes of the court, the time when the criminal docket may be taken up at the next

succeeding term in the several counties composing the seventh judicial circuit.

H. B. 1020. To fix the rate of taxation in this State.

H. B. 819. To provide for the employment of a temporary clerk in the office of the Board of Inspectors of Convicts.

H. B. 881. To incorporate the Tennessee River and Birmingham railroad company, to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

H. B. 604. To amend section six (6) of an act entitled an act to authorize the commissioners court, or court or board of county revenues, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Wilcox, Autauga, Lowndes, Russell, Monroe, Lawrence and Perry to establish or abolish districts in which stock may be prevented from running at large.

H. B. 55. To provide for the sale of property of minors in order to remove the proceeds thereof from the State.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills.

#### RESOLUTION.

By Mr. Williams, by leave—

*Resolved by the house* (the senate concurring),

That the two houses meet in joint session at one o'clock to-day, for the purpose of electing a solicitor for the city court of Anniston.

Adopted.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably to the following bills:

s. 488. To amend section 791 of the Code.

Also,

s. 459. To equalize and fix the amount of the salaries of certain officers in this State.

Also,  
s. 471. To amend subdivision one of section 841 of the Code.

Also,  
s. 472. To amend section 3962 of the Code.

Also,  
s. 367. To amend section 2551 of the Code.

Mr. Stansel, from the committee on revision of laws, reported favorably to the following bills:

s. 402. To amend section 487 of the Code.

Also,  
s. 474. To amend section 1681 of the Code.

Also,  
s. 316. To relieve G. B. Adair, of Tallapoosa county, of the disabilities of non-age.

Also,  
s. 492. To regulate the publication of notices of sales of personal property by sheriff, in Winston county.

Mr. Johnson, from the committee on counties and county boundaries, reported favorably with amendments to

s. 236. To amend sections 2 and 6 of an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 19, 1883, approved February 16, 1885.

Mr. Lay, from committee on ways and means, reported the following bills:

s. 438. To provide for the relief of tax payers, who have erroneously paid taxes in counties adjacent to the counties wherein their lands are situated, without recommendation.

Also, favorably to

s. 498. To relieve Susan Elder, of Mobile county, from disabilities of non-age.

Also, favorably to

s. 493. To authorize the governor to negotiate temporary loans not exceeding one hundred thousand dollars.

Mr. Knight, from committee on penitentiary and criminal administration, reported favorably to

s. 464. To provide for the temporary use of cells and apartments in the penitentiary at Wetumpka, for the safe keeping of prisoners required by law to be confined in the jail of Elmore county.

Mr. Lowe, from committee on corporations, reported favorably to

s. 490. To alter and extend the corporate limits of the city of Anniston.

Also,

s. 486. To incorporate the Anniston Loan and Trust Company of Anniston, Alabama.

Mr. Davie, from committee on public health, reported back to the house

s. 357. To amend the quarantine laws of the State,

And asked that it be referred to committee on revision of laws, and it was so ordered.

Mr. Winston, from committee on counties and county boundaries, reported the following bill favorably:

s. 495. To amend sections two (2) and four (4) of an act entitled an act to provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

Mr. Parker, from special committee, reported favorably on

s. 504. To prevent stock from running at large in certain portions of beat 8, in Elmore county.

Also,

s. 500. To incorporate the city of Wetumpka, approved January 30, 1839.

Mr. Simmons, from committee on local legislation, reported favorably the following bills:

s. 476. To repeal an act entitled an act to prevent the compelling of women and children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

Also,

s. 502. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city, not to exceed fifteen thousand dollars, to purchase the Wetumpka bridge and make the same free to the public.

On motion of Mr. Wiley—

s. 149. To amend section 3754 of the Code,

Was taken from adverse calendar and read a second time.

On motion of Mr. Rattray—

s. 479. To amend section one of an act, approved February 6, 1885, entitled an act to amend section 4416 of the Code,

Was taken from adverse calendar and read a second time.

On motion of Mr. Lay—

s. 97. For the payment of five coupons of class "A" bonds destroyed by fire,

Was taken from adverse calendar and read a second time.

The foregoing bills were severally read a second time and placed on the calendar.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has amended as therein shown, and as amended, has passed house bills

H. B. 635. To enlarge the criminal jurisdiction of justices of the peace in Conecuh county.

H. B. 858. To amend section 150 of the Code.

H. B. 580. To provide for the preservation of game animals and birds in the county of Tuscaloosa.

H. B. 726. To provide for the preservation of game animals and birds in the counties of St. Clair, Lauderdale, Colbert, Marengo, Jefferson, Pike and Covington.

H. B. 899. To amend section 1420 of the Code of 1886, so far as the same relates to Bullock county.

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

H. B. 391. To amend section 3685 (5030) of the Code.

H. B. 520. To amend sections 1879, 1880, 1881 and 1882 of the Code.

H. B. 425. To amend section 143 of the Code.

H. B. 242. To define a lawful fence in the State of Alabama.

H. B. 592. To create a separate school district in Marion and Lamar counties.

H. B. 441. To amend sections 1 and 7 of an act approved February 22, 1887, to authorize the issue of the bonds of the State to the amount of nine hundred and fifty four thousand dollars, for the purpose of paying, taking up and cancelling the bonds of the State bearing six per cent. per annum, issued under an act approved February 13, 1879, to provide for the funding the domestic debt of the State.

H. B. 934. To incorporate the Southern Iron Company.

H. B. 878. To amend section 4641 of the Code.

And has passed the following bills:

H. B. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State Agricultural Society, approved February 22, 1887.

H. B. 731. For conducting farmers institutes in the State of Alabama.

H. B. 359. To require justices of the peace to furnish itemized bills of costs to suitors.



H. B. 697. For the relief of S. H. and W. S. Askew, of the county of Marengo.

H. B. 594. Concerning submarine sites for light-houses and other aids to navigation.

H. B. 1020. To fix the rate of taxation in this State.

H. B. 410. To authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads, in the same manner as now provided by law for taking private property for railroads and other public uses.

H. B. 519. To amend section 4 of an act to divide the State of Alabama into four chancery divisions, approved February 28, 1887, as to the 14th and 15th districts of the northwestern chancery division.

H. B. 819. To provide for the employment of a temporary clerk in the office of the board of inspectors of convicts.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The house concurred in the senate amendments to the following house bills:

H. B. 635. To enlarge the criminal jurisdiction of justices of the peace in Conecuh county.

Yeas 65, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, Nelson, Ne-Smith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Rabb, Simmons, Sowell, Smisson, Smith, Stansel, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva - 65.

Also,

H. B. 858. To amend section 150 of the Code.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, King, Knight, Ledyard, Lee, Lewis, Lowe, Meador, Moseley, McElderry, McLendon, McRee, Parker, Patton, Porter, Posey,

Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Stansel, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

Also,

H. B. 580. To provide for the preservation of game animals and birds in the county of Tuskaloosa.

Yeas 62, nays 0.

Yeas—Messrs. Adams, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Lay, Ledyard, Lee, Lewis, Long, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Porter, Posey, Powell, Rabb, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Walker, Ward, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—62.

Also,

H. B. 726. The title of which is set out in the foregoing senate message.

Yeas 58, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Ledyard, Lewis, Long, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watters, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—58.

Also,

H. B. 899. The title of which is set out in the foregoing senate message.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Bush, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight Lay, Ledyard, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Wade, Walk-

er, Ward, Watters, Weaver, Winston, Woolf, White of Dallas, White of Geneva—60.

Also,

H. B. 391. To amend section 3685 (5030) of the Code.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Benners, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Long, Lowe, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McRee, Nelson, NeSmith, Patton, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—63.

Also, in first senate amendment to,

H. B. 520. To amend sections 1879, 1880, 1881, and 1882 of the Code.

Yeas 66, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—66.

And, in second senate amendment to said,

H. B. 520. Title above.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—64.

And in the third senate amendment to said,

H. B. 520. Title above.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McElvey, McLeod, McRee, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—64.

Also,

H. B. 425. To amend section 143 of the Code.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Wade, Walker, Ward, Webb, Williams, Woolf, White of Dallas, White of Geneva—60.

Also,

H. B. 242. To define a lawful wire fence in the State of Alabama.

Yeas 50, nays 2.

Yeas—Messrs. Speaker, Adams, Adams, Allen, Arrington, Bevis, Bogart, Bush, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Kemp, Knight, Ledyard, Lee, Lowe, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, NeSmith, Paine, Porter, Posey, Pratt, Russell, Simmons, Smisson, Stansel, Wade, Ward, Watson, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—50.

Nays—Messrs. Nelson, Parker—2.

Also,

H. B. 592. To create a separte school district in Marion and Lamar counties.

Yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Meador, McLendon, McLeod, Nelson, NeSmith, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Wade, Ward, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—63.

Also,

H. B. 441. The title of which is set out in the foregoing senate message.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins,  
Bradley, Brown, Carter, Clements, Cornelius, Cunningham,  
Dark, Davie, Dupree, Fitzpatrick, Hampton, Henderson,  
Higgins, Hundley, Kemp, King, Lay, Ledyard, Lee, Lewis,  
Long, Maddox, Mancill, Maley, Moseley, McElderry, Mc-  
Elvey, McLendon, McRee, Nelson, NeSmith, Paine, Par-  
ker, Patton, Porter, Posey, Powell, Russell, Simmons,  
Sowell, Smith, Stansel, Wade, Walker, Ward, Watson,  
Webb, Williams, Woolf, White of Geneva—60.

Also,

H. B. 934. To incorporate the Southern Iron Company.

Yeas 64, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins,  
Bradley, Brown, Cornelius, Cunningham, Dark, Davie, Du-  
pree, Fitzpatrick, George, Hampton, Hardy, Henderson,  
Higgins, Hundley, King, Knight, Kyle, Lay, Ledyard, Lee,  
Lewis, Lowe, Maddox, Mancill, Maley, Miller, McElderry,  
McElvey, McRee, Nelson, NeSmith, Paine, Parker, Patton,  
Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell,  
Smaw, Smisson, Smith, Stansel, Wade, Walker, Watson,  
Weaver, Williams, Winston, Woolf, White of Geneva—64.

And non-concurred in the senate amendments to the following bills.

H. B. 878. To amend section 4641 of the Code.

And

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

## MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 25, 1889.

*Mr. Speaker :*

The governor has approved the following bills, which originated in the house :

House bills 506, 545, 497, 438 and 504.

THOS. H. CLARK,  
Recording Secretary.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate recedes from its amendment to

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

And has adopted the joint resolution relative to the election of a solicitor for the city court of Anniston.

And has passed

H. J. R. 6. To give assent to receive a grant of congress for benefit of agricultural experiment stations.

H. B. 609. To amend section 1305 of the Code.

W. L. CLAY,  
Secretary.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Smith—

s. 404. To incorporate the Mobile & Eastern Shore Railway and Navigation Company.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dark, Fitzpatrick, Hampton, Hardy, Henderson, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Meador, Moseley, McElderry, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Wade,



Walker, Ward, Watters, Weaver, Williams, Woolf, White of Geneva—56.

By Mr. Moseley—

H. B. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Meador, Miller, Moseley, McLendon, McLeod, Ne-Smith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Russell, Simmons, Sowell, Smaw, Smisson, Stansel, Walker, Watters, Weaver, Wiley, Williams, Winston, White of Dallas, White of Geneva—59.

By Mr. Russell—

s. 198. To remove the guardianship of Corinne E. Rives, Frank A. Rives, Lula A. Rives, Virginia F. Rives, Eloise Rives, and Walter Rives, from the county of Lowndes to the county of Dallas.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cochrane, Darby, Dark, Davie, Dupree, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Johnson, Ledyard, Lee, Lewis, Mancill, Maley, Meador, Miller, Moseley, McElderry, McLendon, McLeod, McRee, Nisbet, Patton, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smith, Stansel, Ward, Weaver, Webb, Wiley, Williams, White of Dallas, White of Geneva—55.

By Mr. McRee—

s. 49. To codify the local laws of each county in this State.

The bill was read the third time at length and passed—yeas 51, nays 3.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bush, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, George, Hampton, Hardy, Henderson, Higgins, Johnson, Ledyard, Longshore, Maddox, Mancill, Maley,

Meador, Miller, Moseley, McLeod, McRee, Nelson, Nisbet, Parker, Porter, Posey, Powell, Sowell, Smisson, Smith, Ward, Watson, Weaver, Webb, Williams, Winston, White of Geneva—51.

Nays—Messrs. Bogart, Bolton, Blevins—3.

By Mr. Paine—

s. 191. To regulate and fix the time of holding courts in the third and fifth judicial circuits in the State of Alabama.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Beners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Dark, Davie, Dupree, Dykes, Files, Fitzpatrick, George, Hampton, Henderson, Higgins, Knight, Ledyard, Lewis, Maddox, Meador, Moseley, Nelson, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Simmons, Smisson, Smith, Stansel, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, Winston, White of Dallas, White of Geneva—53.

By Mr. Hundley—

s. 445. To amend the charter of the Jacksonville Mining and Manufacturing Company, a corporation organized under the general incorporation laws.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Anderson, Arrington, Bevis, Billingslea, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Dark, Davie, Dupree, Dykes, Fitzpatrick, French, George, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Simmons, Smisson, Stansel, Wade, Walker, Ward, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—63.

By Mr. Hundley—

s. 394. To regulate the fine and forfeiture fund of Calhoun county.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Beners, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Carter, Clements, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hund-

ley, Johnson, King, Knight, Ledyard, Lee, Maddox, Mancill, Maley, Meador, Moseley, McElderry, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Parker, Patton, Porter, Powell, Simmons, Smisson, Stansel, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—57.

#### JOINT CONVENTION.

The hour of 1 p. m. having arrived the senate met the house in joint convention in the hall of the house, for the purpose of electing a solicitor for the city court of Anniston.

There were present of the senate :

Mr. President, Bulger, Burnett, Clanton, Compton, Cowan, Godfrey, Graham, Grant, Handley, Harris, Inge, Lang, Milner, Parks, Pope, Rice, Rumph, Skeggs, Smith, Stallworth, Tayloe, Waddell, Williams—24.

There were present of the house :

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Meador, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—78.

The president of the senate announced that the object of the joint convention was to elect a solicitor for the city court of Anniston, and that nominations were in order.

Mr. Grant, of the senate, nominated Mr. J. H. King, of Calhoun, for solicitor of the city court of Anniston.

Mr. Williams, of the house, seconded the nomination of Mr. King.

Those who voted for Mr. King, are—

Of the senate :

Mr. President, Bulger, Burnett, Clanton, Compton, Cowan, Godfrey, Grant, Handley, Hayes, Inge, Lang, Milner, Parks, Pope, Rice, Rumph, Skeggs, Stallworth, Tayloe, Williams—21.

And of the house :

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Watters, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—76.

Mr. J. H. King having received all the votes cast, the speaker of the house declared Mr. King duly and legally and constitutionally elected solicitor of the city court of Aniston, for the term prescribed by law.

The joint convention dissolved, and the senate retired to its chamber.

The house resumed consideration of

#### BILLS ON THIRD READING.

And bills were called up as follows :

By Mr. Moseley—

s. 23. To confirm, amend and enlarge the DeBardeleben Coal and Iron Company.

The bill was read the third time at length and passed—yeas 47, nays 6.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bolton, Bush, Blevins, Brown, Carter, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Knight, Ledyard, Lee, Maddox, Mancill, Moseley, McElvey, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Simmons, Smith, Stansel, Walker, Ward, Webb, Woolf, White of Dallas, White of Geneva—47.

Nays—Messrs. Benners, Bogart, Bourdeaux, Bradley, Hundley, Johnson—6.

By Mr. Hundley—

s. 369. To authorize the mayor and council of the town of Decatur to negotiate a loan for the purpose of constructing sewers and making other permanent public improvements in said town, and to issue bonds for the payment of said loan.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Ledyard, Lee, Longshore, Maddox, Mancill, Moseley, McElderry, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Simmons, Smaw, Smisson, Smith, Stansel, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—58.

By Mr. Allen—

H. B. 192. To provide the greater security for travelling on passenger trains in this State.

The bill was read the third time at length and passed—yeas 46, nays 16.

Yeas—Messrs. Adams, Allen, Anderson, Arrington, Benners, Billingslea, Bolton, Bradley, Brown, Clements, Cochrane, Cornelius, Darby, Dark, Dupree, Dykes, Hampton, Hardy, Henderson, Higgins, Hogue, Hundley, Kemp, Knight, Lay, Ledyard, Longshore, Maley, Moseley, McElderry, McLeod, Nelson, Nisbet, Parker, Patton, Porter, Posey, Pratt, Simmons, Smisson, Smith, Stansel, Wade, Ward, Watson, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—46.

Nays—Messrs. Speaker, Benners, Billingslea, Bourdeaux, Bush, Blevins, Carter, Fitzpatrick, George, Hardy, Johnson, Kyle, Lee, Maddox, Smaw, Winston—16.

By Mr. Woolf—

s. 304. To amend section 1 of an act approved on the 12th day of February, 1887, and entitled an act to prevent stock from running at large in certain parts of Marengo county.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Carter, Clements, Cochrane, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Longshore, Maddox, Mrncill, Maley, McElvey, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Pratt, Simmons, Smaw, Smith, Stansel, Wade, Walker, Ward, Watson, Watters,

Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

By Mr. Bradley—

s. 272. For the relief of W. R. H. Loden, late sheriff of Marion county.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Cochran, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Higgins, Hundley, Knight, Ledyard, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Tatum, Wade, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—54.

By Mr. Winston—

s. 391. To amend an act to incorporate the city of Sheffield, in the county of Colbert, approved February 17, 1885, and to confer additional powers and duties on the city council of the said city of Sheffield.

The bill was read the third time at length and passed—yeas 63, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Hardy, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward, Watson, Williams, Winston, Woolf—63.

By Mr. Ledyard—

s. 204. To amend the charter of the Mobile Railway Company, and to ratify the organization and to confirm the franchises granted to, and the obligations, entered into by, and the contracts made with said company.

Mr. Ledyard offered an amendment, which was adopted.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Fitzpatrick,



Hampton, Hardy, Henderson, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Smaw, Smisson, Stansel, Stowers, Wade, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—60.

At 1:30 p. m. the house adjourned till 3 p. m. to-day.

#### AFTERNOON SESSION.

The house re-assembled at 3 p. m.

A quorum was present.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Lewis—

s. 131. To protect outstanding crops in Mobile county.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 32, nays 26.

Yeas—Messrs. Anderson, Arrington, Benners, Bevis, Billingslea, Brown, Carter, Cochrane, Cornelius, Cunningham, Curtis, Darby, George, Hampton, Kemp, Knight, Lewis, Longshore, McLendon, McLeod, McRee, Nelson, Nisbet, Paine, Posey, Stansel, Stowers, Watson, Watters, Webb, Williams, Woolf, White of Geneva—32.

Nays—Messrs. Speaker, Adams, Allen, Bolton, Dark, Dupree, Dykes, Hundley, Johnson, Lee, Maddox, Maley, Meador, Moseley, McElvey, Parker, Porter, Powell, Rabb, Rattray, Simmons, Smith, Wade, Walker, Weaver, White of Dallas—26.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 797. For the relief of Joseph W. Cunningham, and Mrs. A. A. York of Clarke county.

H. B. 635. To enlarge the criminal jurisdiction of justices of the peace in Conecuh and Calhoun counties.

H. B. 206. To ratify and confirm the purchase of lands of the estate of Wm. M. Murphree, deceased, by the mayor and councilmen of Troy, and the contract made by said mayor and councilmen with the public school building company of Troy, Alabama, for the payment for the buildings erected on said lands for the State Normal School and public schools operated in connection therewith.

H. B. 242. To define a lawful wire fence in the State of Alabama.

H. B. 590. To amend an act entitled an act to incorporate the town of Prattville, approved February 19, 1872.

H. B. 674. To confirm the incorporation and organization of the Florence Railroad and Improvement Company, and to define and declare the powers of the said company.

H. B. 478. To empower the court of county commissioners of Talladega county to grant petitions made by two or more persons owning farms adjoining, to put outside fences and gates across public and private roads in new stock law districts for their mutual protection, in Talladega county.

H. B. 316. To amend an act entitled an act to establish the Warrior agricultural district, to provide for the securing of the same and the management of its affairs, approved February 12, 1879, and amended by the general assembly of Alabama, and approved February 13, 1885.

H. B. 801. To amend sections 3522, 3523 and 3524 of the Code.

H. B. 391. To amend section 3685 (5030) of the Code.

H. B. 830. To amend section (3683,) (5028) of the Code of Alabama.

H. B. 899. To amend section 1420 of the Code of 1886, so far as the same relates to Bullock county.

H. B. 787. To amend an act to incorporate the town of Scottsboro, in the county of Jackson, approved January 20, 1870, and the act amendatory thereto, approved February 5, 1877, entitled an act to amend section thirteen of an act approved January 30, 1870, entitled an act to incorporate the town of Scottsboro in the county of Jackson.

H. B. 614. To create a new charter for the city of Florence, Alabama.

B. M. MILLER,  
Chairman of Committee.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested :

- s. 70. To amend section 3012 of the Code.
- s. 398. To appropriate the two and three per cent. fund.
- s. 282. To amend an act to regulate the disbursement of the proceeds derived from the hire of convicts in Marengo county, approved December 9, 1886.
- s. 204. To amend the charter of the Mobile Street Railway Company, and to confirm the franchise granted to and the obligations entered into by, and the contracts made with said company.
- s. 190. To incorporate the Alabama Fuel, Light and Power Manufacturing and Supply Company.
- s. 273. To fix the times and places of holding the circuit courts in the counties of Franklin and Marion, in the eighth judicial circuit, of the State of Alabama.
- s. 385. To amend section 149 of the Code.
- s. 252. In relation to criminal insane persons, who are charged by indictment with murder and other high crimes.
- s. 446. To amend sub-division 25 of section 13 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887.
- s. 6. To incorporate the Alabama and Georgia Railroad company.
- s. 422. To incorporate the Gulf and Chicago Railroad Company, and to further construction of the same.
- s. 38. To establish separate school districts in this State, and to fix the boundaries of same.
- s. 43. To amend sections 3, 6, 13 and 17 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28th, 1887.
- s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same applies to the county of Baldwin, and Mobile county.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of committee on enrolled bills and senate message.

## MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has originated and passed :

s. 460. To amend section 4872 of the Code.

s. 501. To establish a separate school district to be known as the Peabody School District, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

s. 497. To incorporate the town of Dothan, Henry county, Alabama.

And has amended by way of substitute, and as amended has passed,

H. B. 35. For the relief of parties whose lands were sold for taxes, and purchased by the State prior to the first day of January, 1887.

And has amended as therein shown, and as amended, has passed,

H. B. 221. To prohibit the selling or otherwise disposing of vinous, spirituous, or other intoxicating liquors, in any of the precincts in Covington county, unless the same shall first be submitted to the voters of such precinct or precincts ;

And has concurred in the house amendment to—

H. B. 504. To amend the charter of the Mobile Street Railway company, and to ratify the organization, and to confirm the franchise granted to, and the obligations entered into by, and the contracts made with said company ;

And has amended by way of substitute, and as amended, has passed—

H. B. 783. For the relief of T. H. Skinner, S. G. Woolf, C. F. Compton, and T. M. Witherspoon.

And insists upon its amendment to the bill—

H. B. 878. To amend section 4641 of the Code,

And asks a committee of conference thereon.

Committee on part of the senate, Messrs. Godfrey, Clanton, and Graham.

W. L. CLAY,  
Secretary.

# SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees as follows

- s. 501, to education.
- s. 497, to corporations.
- s. 460, to revision of laws.

The house concurred in the senate amendment to—

H. B. 35. The title of which is set out in the foregoing senate message.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cunningham, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Kemp, King, Kyle, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Stansel, Stowers, Ward, Watson, Weaver, Webb, Williams, White of Geneva—54.

Also, concurred in senate amendment to

H. B. 221. The title of which is set out in the foregoing senate message.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bevis, Billingslea, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Darby, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, King, Kyle, Lay, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, NeSmith, Paine, Patton, Pettus, Porter, Posey, Powell, Pratt, Rattray, Simmons, Stansel, Stowers, Ward, Watson, Weaver, Webb, Wiley, Winston, White of Dallas, White of Geneva—55.

Also, concurred in the senate amendment to

H. B. 783. For the relief of T. H. Skinner, S. G. Woolf, C. F. Compton, and F. M. Witherspoon.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arring-

ton, Benners, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochrane, Darby, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Johnson, Kemp, Knight, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, Nelson, NeSmith, Parker, Patton, Pettus, Porter, Posey, Powell, Rat-tray, Russell, Simmons, Smith, Stansel, Stowers, Wade, Watson, Weaver, Webb, Winston, White of Dallas, White of Geneva—56.

And accedes to the request of the senate for a committee of conference on

H. B. 878. To amend section 4641 of the Code.

Committee on the part of the house—Messrs. Pettus, Lay and Porter.

The house resumed consideration of

#### BILLS ON THIRD READING,

And bills were called up as follows :

By Mr. Powell—

H. B. 1034. To incorporate the Pensacola, Andalusia, Union Springs & Chattanooga Railroad Company.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Carter, Cochrane, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Moseley, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watters, Weaver, Webb, Woolf, White of Geneva—54.

By Mr. Anderson—

s. 308. To authorize the Macon & Birmingham Railroad Company, a corporation under the laws of Georgia, to construct, maintain and operate its railroad within the State of Alabama, and do all other things needful for that purpose.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Mancill, Maley, Meador,



Miller, Moseley, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Powell, Rabb, Simmons, Smith, Stansel, Stowers, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf—54.

By Mr. McLendon—

s. 141. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

The bill was read the third time at length and, on motion of Mr. Petrus, further consideration was indefinitely postponed.

Yeas 48, nays 15.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cornelius, Cunningham, Davie, Dykes, Henderson, Higgins, Johnson, Kemp, King, Kyle, Lay, Maddox, Mancill, Maley, McElvey, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Powell, Pratt, Rabb, Rattray, Smith, Watson, Waters, Weaver, Webb, Winston, White of Dallas, White of Geneva—48.

Nays—Messrs. Clements, Cochrane, Dupree, Fitzpatrick, George, Hampton, Ledyard, Lee, Longshore, McLendon, Nelson, Patton, Stansel, Stowers, Williams—15.

By Mr. Fitzpatrick—

s. 374. To amend section 1594 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Billingslea, Bogart, Bolton, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Kemp, King, Knight, Lay, Ledyard, Lee, Mancill, Maley, McElvey, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Stansel, Stowers, Ward, Watson, Watters, Weaver, Webb, Williams, White of Dallas, White of Geneva—53.

By Mr. Weaver—

s. 183. To amend section four (4) of an act entitled an act to incorporate the town of Hartselle, in the county of Morgan, approved February, 1879.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Carter, Clements, Cochrane, Cornelius, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Kemp,

King, Knight, Lay, Ledyard, Maddox, Maley, Moseley, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Stansel, Stowers, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—55.

By Mr. Stansel—

s. 110. To confirm the incorporation and organization of "Tuskaloosa and Castle Hill Real Estate and Manufacturing Company," and to declare and define the powers of said company.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Clements, Cochrane, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Johnson, Kemp, King, Knight, Ledyard, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Pratt, Rabb, Smith, Stansel, Stowers, Walker, Ward, Watson, Watters, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—52.

By Mr. Meador—

s. 303. For the relief of James B. Cornegay, of Marengo county.

The bill was read the third time at length and passed—yeas 40, nays 18.

Yeas—Messrs. Anderson, Arrington, Bevis, Billingslea, Bogart, Bolton, Bush, Brown, Cochrane, Cornelius, Cunningham, Darby, Davie, Fitzpatrick, George, Knight, Kyle, Lay, Ledyard, Maddox, Meador, Moseley, McElderry, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Smith, Stansel, Stowers, Walker, Watters, Wiley, Williams, Woolf—40.

Nays—Messrs. Speaker, Adams, Allen, Blevins, Clements, Dupree, Dykes, Hampton, Johnson, Kemp, King, Maddox, McElvey, Nelson, Winston, White of Geneva—18.

By Mr. Pitts—

s. 386. To allow the commissioner of agriculture additional clerical force in his office.

The bill was read the third time at length and passed—yeas 37, nays 35.

Yeas—Messrs. Speaker, Anderson, Bogart, Bolton, Bush, Brown, Clements, Cornelius, Darby, Davie, George, Hampton, Henderson, Higgins, Knight, Kyle, Ledyard, Lee, Lewis,

Maddox, Meador, McEldery, McElvey, McLendon, NeSmith, Nisbet, Patton, Pettus, Pitts, Pratt, Smith, Stansel, Stowers, Walker, Ward, Webb, Williams—37.

Nays—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Blevins, Bradley, Cunningham, Dupree, Dykes, Fitzpatrick, Johnson, Kemp, King, Longshore, Maley, Moseley, McLeod, Nelson, Paine, Parker, Porter, Posey, Simmons, Wade, Watson, Watters, Weaver, Wiley, Winston, Woolf, White of Dallas, White of Geneva—35.

Mr. Nisbet moved to reconsider the vote by which the bill just passed was passed, and then moved to lay that motion on the table.

The latter motion was lost—yeas 35, nays 37.

Yeas—Messrs. Speaker, Anderson, Arrington, Bolton, Bush, Brown, Clements, Cochrane, Cornelius, Davie, George, Hampton, Henderson, Higgins, Knight, Kyle, Lay, Ledyard, Lewis, Maddox, Miller, McElderry, McElvey, NeSmith, Nisbet, Patton, Pettus, Pitts, Powell, Pratt, Smith, Stansel, Stowers, Walker, Ward, White of Dallas—35.

Nays—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bourdeaux, Blevins, Bradley, Carter, Cunningham, Darby, Dupree, Dykes, Fitzpatrick, Johnson, Kemp, King, Longshore, Moseley, McLendon, McLeod, Nelson, Paine, Parker, Porter, Posey, Rattray, Russell, Simmons, Wade, White of Geneva—37.

Mr. Shorter, (Mr. Rabb in the chair), moved to postpone the consideration of the motion to reconsider until to-morrow morning immediately after reading of the journal.

Lost.

Yeas 29, nays 44.

Yeas—Messrs. Speaker, Anderson, Benners, Bush, Clements, Cochrane, Cornelius, Davie, George, Hampton, Henderson, Higgins, Knight, Lewis, Maddox, Meador, Miller, McElderry, McElvey, NeSmith, Nisbet, Patton, Pettus, Pitts, Smaw, Stansel, Stowers, Walker, White of Geneva—29.

Nays—Messrs. Adams, Allen, Arrington, Benners, Bush, Clements, Cochrane, Cornelius, Davie, George, Hampton, Henderson, Higgins, Knight, Ledyard, Lewis, Longshore, Maley, Moseley, McLendon, McLeod, Nelson, Paine, Parker, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Wade, Ward, Watson, Watters, Weaver, Wiley, Winston, Woolf, White of Dallas, White of Geneva—44.

Mr. Nisbet's motion to reconsider was carried.

The bill was lost—yeas 28, nays 46.

Yeas—Messrs. Speaker, Anderson, Bush, Clements, Cochran, Cornelius, Davie, George, Hampton, Henderson, Higgins, Knight, Ledyard, Lewis, Maddox, Meador, Miller, McElderry, Nelson, Nisbet, Patton, Pettus, Pitts, Pratt, Smith, Stansel, Stowers, Walker, Webb—28.

Nays—Messrs. Adams, Allen, Arrington, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Cunningham, Darby, Dupree, Dykes, Fitzpatrick, George, Johnson, Kemp, King, Kyle, Lay, Longshore, Mancill, Maley, Moseley, McLendon, McLeod, Nelson, Paine, Parker, Porter, Posey, Powell, Rattray, Simmons, Wade, Ward, Watson, Waters, Weaver, Wiley, Winston, Woolf, White of Dallas, and White of Geneva—46.

#### ADJOURNMENT.

At 6 p. m. the house stood adjourned till 8 p. m. to-day.

#### NIGHT SESSION.

The house reassembled pursuant to adjournment.  
A quorum was present.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. McElderry—

s. 480. To incorporate the Orphans Home of the North Alabama Annual Conference of the Methodist Episcopal Church South.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Cunningham, Dupree, Dykes, Hardy, Henderson, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Long, Maddox, Mancill, Mayley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—57.

By Mr. Porter—

H. B. 868. To confirm the incorporation of the "Young Men's Christian Association of Birmingham," a body corporate created under the general laws of Alabama, and to grant additional powers to said corporation, and prescribe the method by which it may mortgage or alienate its property.

The bill was read the third time at length and passed—yeas 60, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Clements, Cunningham, Dupree, George, Hardy, Henderson, Higgins, Hundley, Kyle, Lay, Ledyard, Lewis, Long, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Rabb, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—60.

By Mr. Rabb—

s. 257. To provide for the answering by corporations of interrogatories propounded under the provisions of section 2816 of the Code.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bolton, Blevins, Bradley, Brown, Cunningham, Dupree, Dykes, George, Hardy, Henderson, Hundley, Ledyard, Lewis, Long, Maley, Miller, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Posey, Powell, Rabb, Rattray, Sowell, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—52.

By Mr. Wiley—

s. 150. To amend section one (1) of an act entitled an act to incorporate the Mechanics Hook and Ladder Company of Montgomery, approved January 26, 1858.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Blevins, Bradley, Brown, Carter, Dupree, George, Hardy, Henderson, Higgins, Hundley, Johnson, Kyle, Lay, Ledyard, Lewis, Long, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, Ne-

Smith, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Rabb, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—56.

By Mr. Wiley—

s. 353. To amend section 1588 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 47, nays 10.

Yeas—Messrs. Allen, Arrington, Bevis, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cunningham, Dupree, George, Henderson, Higgins, Hundley, Johnson, Knight, Kyle, Lay, Ledyard, Lewis, Maddox, Mancill, Miller, Moseley, McElderry, McLendon, Nelson, NeSmith, Nisbet, Pettus, Pitts, Porter, Pratt, Rabb, Ratray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Watson, Webb, Wiley, Woolf—47.

Nays—Messrs. Speaker, Adams, Benners, Billingslea, Bolton, Dykes, Hardy, Long, Parker, Posey—10.

By Mr. Stansel—

s. 453. To authorize corporations to amend defects in their organization.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Allen, Arrington, Benners, Bevis, Billingslea, Bogart, Blevins, Brown, Clements, Dupree, Dykes, Hardy, Henderson, Higgins, Hundley, Kyle, Lay, Ledyard, Lewis, Long, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Pratt, Rabb, Ratray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Watson, Weaver, Webb, Wiley, Woolf, White of Dallas, White of Geneva—53.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 121. For the relief of J. P. Ford, late tax assessor of Marion county.

s. 191. To regulate and fix the time of holding courts in the third and fifth judicial circuits in the State of Alabama.

s. 394. To regulate the fine and forfeiture fund in Calhoun county.



s. 219. To establish partial stock-law districts in Talladega county, so as to include precincts 5 and 1 in said county.

s. 389. To incorporate the Florence Educational, Land and Development company.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing senate message.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate insists upon its amendment to

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7 of section 454 of the Code of 1886,

And asks for a committee of conference thereon.

Committee on the part of the Senate: Messrs. Brewer, Inge and Rice.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house acceded to the request of the senate for a committee of conference on

H. B. 557. To amend sub-divisions 2, 3, 5, 6, and 7 of section 454 of the Code of 1886.

Committee on the part of the house: Messrs. Lay, Clements and Stansel.

The house resumed consideration of—

#### BILLS ON THIRD READING.

And bills were called up as follows:

By Mr. Darby—

H. B. 259. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1st to March 1st, in stock districts already estab-

lished in said county, or that may be hereafter established in said county.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Billingslea, Bolton, Bourdeaux, Blevins, Bradley, Brown, Clements, Cunningham, Darby, Dupree, Dykes, George, Hardy, Henderson, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Lewis, Maley, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Pratt, Simmons, Sowell, Smaw, Smisson, Stowers, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—52.

By Mr. Henderson—

s. 178. To authorize and empower Louisa W. Henderson, adm'x of the estate of John Henderson, deceased, to purchase lands for estate under sale or sales of same when made under mortgage or mortgages, or deed or deeds of trust executed to intestate in his life time, and to sell the land or any part thereof so purchased, either at private or public sale, and to make good and sufficient deeds of conveyance to same.

The bill was read the third time at length and passed—yeas 52, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bradley, Clements, Cunningham, Dupree, George, Hardy, Henderson, Higgins, Hundley, Johnson, Knight, Kyle, Ledyard, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—52.

Nays—Messrs. Bourdeaux, Maley—2.

By Mr. Nisbet—

s. 326. To require the probate judge of Perry county to prepare and keep in his office a general direct and reversed index of the minutes and inventories, and other records relating to estates of deceased persons and guardianship proceedings, and to provide just compensation therefor.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Du-

pree, Dykes, George, Hardy, Hundley, Lay, Ledyard, Lewis, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Ratray, Simmons, Smisson, Smith, Stansel, Stowers, Ward, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—57.

By Mr. Smith—

s. 302. To determine and fix the amount of poll tax available each scholastic year for school purposes.

The bill was read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bolton, Blevins, Bradley, Brown, Carter, Cunningham, Dupree, Dykes, George, Henderson, Higgins, Johnson, Kyle, Lay, Ledyard, Lewis, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Parker, Patton, Pettus, Pitts, Posey, Powell, Simmons, Smaw, Smith, Stansel, Stowers, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas—51.

By Mr. Maddox—

s. 426. To confirm the incorporation and organization of the "Floreuce Cotton and Iron Company," and to define and declare the powers of said company.

The bill was read the third time at length and passed—yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Benners, Bevis, Billingslea, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Dupree, Dykes, George, Hardy, Henderson, Higgins, Knight, Kyle, Lay, Ledyard, Lewis, Long, Maddox, Maley, Miller, Moseley, McElderry, McElvey, Nisbet, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Smith, Stansel, Stowers, Wade, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—52.

By Mr. Arrington—

s. 244. To amend the charter of the Birmingham Trust and Savings Company, incorporated under the general laws of Alabama.

The bill was read the third time at length and passed—yeas 33, nays 31.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, George, Knight, Kyle, Lewis, Miller, McElderry, Patton, Pettus,

Pitts, Porter, Pratt, Smaw, Smisson, Smith, Stowers, Wade, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf—33.

Nays—Messrs. Adams, Allen, Anderson, Benners, Billingslea, Bolton, Bradley, Dupree, Dykes, Hardy, Higgins, Hundley, Johnson, Lay, Ledyard, Long, Maddox, Mancill, Maley, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Powell, Rattray, White of Dallas, of Geneva—31.

By Mr. Bourdeaux—

s. 271. To amend section 981 of the Code.

The bill was read the third time at length and passed—yeas 35, nays 18.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bourdeaux, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dupree, George, Hardy, Johnson, Kyle, Lewis, Long, Moseley, McElderry, McElvey, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Pratt, Rabb, Rattray, Smisson, Smith, Stansel, Watson, Weaver, Wiley—35.

Nays—Messrs. Speaker, Anderson, Benners, Billingslea, Bolton, Bradley, Dykes, George, Hardy, Hundley, Ledyard, Maddox, Pettus, Pitts, Powell, Woolf, White of Dallas, White of Geneva—18.

By Mr. McElderry—

s. 277. To amend sections one (1), three (3), five (5) and nine (9) of an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 28, 1887.

On motion of Mr. Pettus, the bill was laid upon the table.

By Mr. Webb—

s. 317. For the relief of Mrs. Sevilla C. Black of Fayette county.

The bill was read the third time at length and passed—yeas 44, nays 14.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Bolton, Bradley, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Hardy, Henderson, Higgins, Hundley, Kyle, Lewis, Long, Maley, Moseley, McElderry, McElvey, McLeod, Nelson, Nisbet, Patton, Porter, Posey, Powell, Pratt, Rattray, Sowell, Smaw, Wade, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—44.

Nays—Messrs. Benners, Billingslea, Dupree, George,

Johnson, Lay, Maddox, Parker, Pettus, Pitts, Simmons, Stansel, White of Dallas—14.

By Mr. Dupree—

s. 473. For the relief of James B. Conine of Tallapoosa county.

The bill was read the third time at length and passed—yeas 65, nays 2.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Dupree, Hardy, Henderson, Higgins, Hundley, Kyle, Ledyard, Maddox, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Watson, Webb, Wiley, Williams, Woolf, White of Geneva—51.

Nays—Messrs. George, Johnson—2.

By Mr. Clements—

s. 448. To prevent trespass upon and damage to the property of the University of Alabama and the Alabama Insane Hospital.

The bill was read the third time at length and passed—yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Bevis, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cochran, Cunningham, Dupree, Dykes, George, Hardy, Henderson, Higgins, Hundley, Johnson, Kyle, Lay, Ledyard, Lewis, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, Nisbet, Paine, Patton, Pettus, Porter, Posey, Powell, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—57.

By Mr. Cornelius—

s. 288. To incorporate the Warrior, Attalla & Jasper Railroad Company.

The bill was read the third time and further consideration postponed till to-morrow.

By Mr. Perry—

s. 325. To provide for the listing of lands by tax assessors;

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bogart, Blevins, Brown, Clements, Cochran, Cunningham,

Dykes, George, Henderson, Higgins, Hundley, Knight, Lay, Ledyard, Lewis, Long, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—54.

By Mr. George—

s. 466. To require the clerk of the circuit court of Jefferson county, in this State, to index the several records and books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

The bill was ordered to a third reading forthwith, read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Blevins, Bradley, Brown, Carter,  
Clements, Cornelius, Cunningham, Dupree, Dykes, George,  
Hardy, Henderson, Higgins, Hundley, Knight, Kyle, Led-  
yard, Lewis, Long, Maddox, Maley, Miller, Moseley, McEl-  
derry, McElvey, McLeod, Nelson, Nisbet, Paine, Parker,  
Patton, Pettus, Pitts, Porter, Posey, Powell, Sowell, Sum-  
mers, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Ward,  
Weaver, Webb, Wiley, Williams, Woolf, White of Dallas,  
White of Geneva—55.

At 10:40 p. m. the house adjourned till to-morrow at 9:30  
a. m.

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## FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,

Tuesday, Feb. 26, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Dupree of the house.

Present—Messrs. Speaker, Adams, Allen, Anderson, Ar-  
rington, Benners, Bevis, Billingslea, Bogart, Bolton, Bour-  
deaux, Bush, Blevins, Bradley, Brown, Carter, Clements,  
Cochrane, Cornelius, Cunningham, Darby, Dark, Davie,  
Dupree, Dykes, Fitzpatrick, George, Hampton, Hardy,  
Henderson, Higgins, Hundley, Johnson, Kemp, King,  
Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Maddox,  
Mancill, Maley, Miller, Moseley, McElderry, McElvey, Mc-



Lendon, McLeod, Nelson, Nesmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Russell, Simmons, Snaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—84.

The journal of yesterday was read and approved.

#### LEAVE OF ABSENCE

Indefinite leave of absence was granted to Messrs. McRee, Stone, Lowe, Ward and Rabb after to-day, and to Mr. Sowell for one day.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Lay—

s. 493. To authorize the governor to negotiate temporary loans not exceeding one hundred thousand dollars.

The bill was read the third time at length and passed—yeas 51, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Bevis, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochran, Dark, Davie, Dupree, Dykes, George, Hampton, Higgins, Knight, Lay, Ledyard, Lee, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Nelson, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Russell, Smith, Stowers, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—51.

On motion of Mr. McElderry—

s. 277. To amend sections one (1), three (3), five (5) and nine (9) of an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 23, 1887,

Was taken from the table.

The bill was read the third time at length and passed—yeas 50, nays 5.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-ners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Brown, Carter, Cochran, Dark, Dupree, Fitzpatrick, George, Henderson, Higgins, Hundley, Kemp, Kyle, Ledyard, Lee, Longshore, Maley, Miller, Moseley, McElderry, McLendon,

McLeod, Parker, Pitts, Porter, Posey, Powell, Rabb, Rat-tray, Simmons, Smith, Stansel, Stowers, Wade, Ward, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—50.

Nays—Messrs. Blevins, Cunningham, Dark, Dykes, Maddox—5.

By Mr. Longshore—

s. 375. To amend section 17 of an act to incorporate the city of Calera, in the county of Shelby, approved February 24, 1887.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Carter, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Johnson, Kemp, King, Knight, Ledyard, Lewis, Longshore, Maddox, Mancill, Maley, Miller, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Pet-tus, Pitts, Porter, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stowers, Wade, Ward, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—59.

By Mr. Cornelius—

s. 288. To incorporate the Warrior, Attalla & Jasper R. R. Company.

The bill was read the third time at length and passed—yeas 41, nays 14.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, Johnson, Kemp, Ledyard, Maddox, McElderry, McElvey, McLendon, McRee, Paine, Pitts, Porter, Powell, Pratt, Rabb, Smisson, Stow-ers, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—41.

Nays—Messrs. Adams, Benners, Billingslea, Dykes, George, Higgins, Hundley, Longshore, Moseley, Parker, Smaw, Smith, White of Dallas—14.

#### RESOLUTION.

By Mr. Pettus, by leave—

*Resolved by the house (the senate concurring),*

That a committee of three on the part of the house and two on the part of the senate, be appointed to ascertain and

report at the earliest possible moment, whether or not a recess of the two houses to-morrow is necessary.

Adopted.

Committee on the part of the house—Messrs. Pettus, Ledyard and Pitts.

At his own request, Mr. Pettus was excused from serving and Mr. White of Dallas was appointed in his stead.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Pettus, from the judiciary committee, reported favorably,

H. J. R. 8. Relating to the annexation of West Florida to the State of Alabama.

Mr. Stansel, from committee on revision of laws, reported favorably to

s. 460. To amend section 4875 of the Code.

Also,

s. 357. To amend the quarantine laws of this State.

Mr. Webb moved to take from adverse calendar H. B. 200, and read it a second time.

Lost.

Mr. Fitzpatrick, from the committee on education, reported favorably,

H. B. 501. To amend an act establishing a separate school district to be known as the Peabody School District in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

Mr. Cunningham, from committee on accounts and claims, reported favorably to

s. 454. For the relief of A. G. Franklin of DeKalb county, Alabama.

Mr. Pitts, from committee on corporations, reported favorably to

s. 497. To incorporate the town of Dothan, Henry county, Alabama.

On motion of Mr. Stansel—

s. 299. To amend sections 3546 and 3547 of the Code of Alabama,

Was taken from an adverse report and read a second time.

The foregoing bills were severally read a second time and placed on the calendar.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has passed the following bills:

H. B. 884. To amend section 10 of the Code.

H. B. 732. To empower the governor of Alabama to re-convey to the United States a certain tract of land described in this bill.

H. B. 4. Authorizing the payment of fines and forfeitures with certain claims in the counties of Cherokee, Blount and Marshall.

H. B. 1004. To regulate the fees of the sheriff of Clarke county.

H. B. 1011. To require the sheriffs of the counties in this State to keep a correct record in his office of each and every prisoner in the jail.

H. B. 725. To amend section 6 of an act entitled an act to incorporate the St. Clair Coal Company, approved February 17, 1885.

H. B. 1027. To allow the trustees of the Douglassville Camp Ground to preserve order at said camp ground.

H. B. 468. To provide for the better policing of Frascati Park in the city of Mobile, and its environs, and for the better protection of visitors thereto.

H. B. 349. To authorize the Mobile Street Railway Company to establish and operate one or more public parks or gardens at the places therein designated, and to provide for the protection of the employees and visitors while thereat or going to or returning therefrom.

H. B. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

H. B. 823. For the relief of George B. Fellows, as the administrator of the estate of H. D. Fellows, deceased.

H. B. 987. For the relief of B. F. Noble, of Montgomery county.

H. B. 1028. To amend an act entitled an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888.

H. B. 489. To authorize the registration of claims of justices of the peace and notaries public, who are ex-officio justices of the peace and constables against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

H. B. 744. Authorizing and permitting the board of trustees of the Alabama Insane Hospital to grant the right to

open rock quarries on the lands belonging to the Hospital for the purpose of building locks and dams in the Warrior river, by the United States government and quit claim the same.

H. B. 926. To establish the city of Gadsden as a separate public school district.

H. B. 990. To constitute a separate school district to be known as the Salem school district, in the county of Lee and State of Alabama, and for the appointment of a board of trustees therefor.

H. B. 620. To constitute the city of Montgomery a separate school district.

H. B. 866. To incorporate the Vernon Institute.

H. B. 599. To repeal an act entitled an act to authorize and require the county superintendent of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly.

H. B. 494. For the protection of the health of female employees engaged in commercial pursuits.

H. B. 486. To amend sections 463 and 529 of the Code.

H. B. 864. For the relief of S. F. Pennington, late sheriff of Lamar county.

H. B. 608. To amend section 4038 of the Code of Alabama.

H. B. 386. To amend section 3947 of the Code of Alabama, so far as the same relates to the county of Jefferson.

H. B. 913. To provide for payment of the solicitor of the tenth judicial circuit.

H. B. 35. For the relief of parties whose lands were sold for taxes and purchased by the State, prior to the first day of January, 1887.

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of Confederate soldiers whose husbands were killed or died in said war, and who have not since remarried.

H. B. 255. To repeal an act entitled an act to provide for the keeping in better repair the public roads and highways of Morgan county.

H. B. 682. To relieve Jesse H. Thompson, of Macon county, Ala., of the disabilities of non-age.

H. B. 209. To prevent stock from running at large in the several beats of Randolph and Calhoun counties, and to authorize elections thereon.

H. B. 480. To prevent stock from running at large in beats seven, one, two and thirteen in Chambers county.

H. B. 587. For the relief of W. S. Page, of the county of Jackson.

H. B. 286. To repeal an act to regulate the pay and mileage of jurors and commissioners of Geneva county, and to provide for the payment of the same, approved January 27, 1872.

H. B. 173. To regulate the purchase of cotton products in those sections of Barbour county where the sale of seed is now prohibited by law.

H. B. 477. To amend the charter of Talladega College, Talladega, Alabama.

H. B. 792. To create the town of New Decatur a separate school district, to incorporate the same and define its powers and duties.

H. B. 924. To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

H. B. 784. To change the name of Minnie Lee Jenkins, of Russell county, to that of Minnie Lee Turner.

H. B. 318. To incorporate the Covington and Escambia Alliance, Navigation and Transportation Company.

H. B. 741. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four (4) miles of Tolbert Baptist church in beat sixteen (16), in all directions, in Henry county.

H. B. 501. For the relief of Mrs. Mary Johnston, widow of Bryant Johnston, late of Conecuh county.

H. B. 399. To relieve William E. Jones, of Chambers county, Ala., from the disabilities of non age.

H. B. 27. To amend sub-divisions 17 and 18 of section 96, and sub-division 8 of section 120 of the Code of Alabama.

H. B. 676. For the relief of the firm of Dewberry & Bevis, composed of A. L. Dewberry and J. C. Bevis.

H. B. 970. To create the office of cotton weigher of Limestone county, to provide for filling the same, and to prescribe the duties and compensation thereof.

H. B. 791. To incorporate the trustees of the Indigent Ministers' Fund of the Coosa River Baptist Association.

H. B. 756. To amend, in so far as the same applies to Hale county, an act entitled an act for the preservation of game and animals and birds in the counties of Hale, Cullman and Greene, approved February 26, 1887.

H. B. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river at or near the city of Montgomery, and to authorize the board of revenue



of Montgomery county and the court of county commissioners of Autauga county severally to issue bonds to pay for the same.

H. B. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph and Shelby counties.

H. B. 842. To amend section 2 of an act entitled an act to authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies, approved February 23, 1883.

H. B. 704. To amend sections 1, 3, 5 and 13 of an act entitled an act to establish a river commission for Mobile river and branches and to define its powers, approved February 28, 1887.

H. B. 521. To provide the manner of payment of certain fees allowed sheriffs as provided under section 4872 of the Code.

H. B. 1018. To authorize the county commissioners of Monroe county to levy a special tax of one-fifth of one per cent for bridge purposes.

H. B. 999. For the preservation of game animals and birds in the county of Greene.

H. B. 675. To incorporate the Florence Belt Railroad and Improvement Company.

H. B. 664. To amend and confirm the charter of the Elyton Land Company, a corporation organized under the general incorporation laws of this State.

H. B. 328. To amend section one of an act to authorize a subscription by the State to an index digest of the Alabama reports, approved February 28, 1887.

H. B. 643. To prescribe the mode of notice to administrators, executors and guardians, in certain cases.

H. B. 177. To amend section 2756 of the Code of 1886.

H. B. 555. For the protection of widows and minor children.

H. B. 508. To amend section 1761 (2098) of the Code of Alabama.

H. B. 718. To amend section 3210 of the Code.

H. B. 986. To provide for an additional watchman at the capitol.

H. B. 738. To amend section 491 of the Code of Alabama.

H. B. 203. To amend section 1399 of the Code of Alabama.

H. B. 1005. To incorporate the Tuskegee, Tallassee and

Sylacauga Railroad Company and to further the construction of said railroad.

H. B. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

H. B. 735. To ratify and confirm the charter of the Jasper Land Company, of Jasper, Alabama.

H. B. 790. To change the name of Brundidge, Pike county, Alabama.

H. B. 684. To define and prescribe a lawful fence in certain portions of the county of Madison.

H. B. 38. To establish two branch agricultural stations and agricultural schools, one in North Alabama and the other at or near Abbeville, in Henry county, in Southeast Alabama.

H. B. 119. To make appropriations for the payment of the railroad commissioners and their clerk, and for other expenses of the railroad commission.

H. B. 515. For the relief of Lewis R. Powell.

H. B. 110. To abolish the county court in Covington county and to provide for the transfer of the unfinished business in said court to the circuit court of said county.

H. B. 869. For the relief of G. N. Buchanan, of the county of Pike.

H. B. 937. To relieve Francis L. Everett and Elina B. Everett of the disabilities of non-age.

H. B. 846. To repeal an act entitled an act to authorize the laying out of the county of Pike, into commissioners' districts, and providing for the election of commissioners by the qualified voters of the county.

H. B. 1017. To amend section one of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

H. B. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh.

H. B. 902. To regulate the practice and proceedings in civil cases in the circuit court of Jefferson county, in this State, and in the supreme court on appeal from judgments rendered in said cases.

H. B. 194. To amend sections 762 and 763 of the Code of 1886, relating to the summoning of constables by the sheriffs to attend and wait upon the sittings of the circuit courts of this State.

H. B. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State.

H. B. 700. To authorize the county treasurer of Marshall county to re-register certain claims against the fine and forfeiture fund of said county.

And has amended as therein shown, and as amended, has passed

H. B. 833. To confer on the court of probate jurisdiction to ascertain and declare heirship to persons dying intestate.

H. B. 332. To amend section 2755 of the Code.

H. B. 952. To pay Robert Hasson, door-keeper of the house, and James Armstrong, door-keeper of the senate, for articles purchased for the use of the senate and house of representatives.

H. B. 973. To regulate the finances of Montgomery county.

H. B. 991. To incorporate the male and female academy, located in the town of Leighton, Lawrence county, Alabama.

H. B. 892. To incorporate the Lowndes Rifles, company D, 1st regiment Alabama State Troops.

H. B. 423. To prohibit the taking up or bearing arms by any person or persons, or body of men in a military capacity, unless authorized by law.

H. B. 817. To authorize the commissioners court of Calhoun county to levy a tax for working the public roads of said county, and to let out said roads by contract.

H. B. 559. To amend section 11 of an act entitled an act to better enforce the working of public roads in the counties of Montgomery and Hale, approved February 23, 1883, as to Hale county.

H. B. 430. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay, and Jefferson, approved February 13th, 1779, so far as the same relates to the counties of Mobile and Baldwin.

H. B. 419. To elect the county board of commissioners of Lowndes county by the qualified electors of said county.

H. B. 544. To amend the charter of the city of Montgomery, and the various acts amendatory thereof.

H. B. 897. To amend sub-division 22, of section 629 of the Code.

H. B. 644. To provide for repairing and furnishing the capitol and improving the capitol grounds.

H. B. 975. For the relief of Virginia E. Carter, as administratrix of David Carter, deceased, late sheriff of Clarke county.

H. B. 632. To bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county.

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers whose husbands were killed or died in said war, and who have not since remarried.

H. B. 863. To regulate Mobile Harbor.

H. B. 974. For the relief of R. G. Allen as administrator of W. G. Allen, deceased, late sheriff of Clarke county.

H. B. 577. To regulate the trial of misdemeanors in Shelby county.

And non-concurs in the house amendments to

s. 215. To prohibit the sale of spirituous, vinous or malt liquors in township 17, range 6 east, in Perry county, except within the corporate limits of Uniontown, Perry county, Alabama.

And asks a committee of conference thereon.

Committee on part of the senate, Messrs. Cowan, Pope and Harris.

And has adopted the joint resolution herewith sent, relative to employment of clerks.

And has concurred in the conference report on

H. B. 557. To amend sub-division 2, 3, 5, 6 and 7, of section 454 of the Code.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGES.

The house concurred in the senate amendments to the following house bills :

House bill 833, the title of which is set out in the foregoing senate message.

Yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Arrington, Benners, Bevis, Bourdeaux, Blevins, Brown, Clements, Cochrane, Cornelius, Cunningham, Darby, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Smisson, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—57.

Also,

H. B. 332. To amend section 2755 of the Code.

Yeas 52, nays 2.

Yeas—Messrs. Speaker, Benners, Bevis, Bogart, Bush, Blevins, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Maddox, Miller, McElderry, McElvey, McLeod, Nelson, Nisbet, Porter, Posey, Simmons, Sowell, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—52.

Nays—Messrs. Bolton, Long—2.

Also,

House bill 952, the title of which is set out in the above senate message.

Yeas—58, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Long, Maddox, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Porter, Posey, Powell, Simmons, Smaw, Smisson, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Geneva—58.

Also,

H. B. 973. To regulate the finances of Montgomery county.

Yeas—54, nays 0.

Yeas—Messrs. Speaker, Arrington, Benners, Billingslea, Bogart, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Ledyard, Lee, Lewis, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Powell, Pratt, Simmons, Smaw, Smisson, Stansel, Stowers, Wade, Walker, Ward, Wiley—54.

Also,

House bill 991, the title of which is set out in the foregoing senate message.

Yeas 57, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bourdeaux, Blevins, Bradley, Brown, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick,

Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Smaw, Smith, Stansel, Wade, Walker, Ward, Watson, Webb, Wiley, Woolf, White of Dallas, White of Geneva—57.

Also,

House bill 892, the title of which is set out in the above senate message.

Yeas 53, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bolton, Blevins, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Kemp, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Powell, Pratt, Simmons, Smisson, Smith, Stansel, Stowers, Walker, Watson, Weaver, Webb, Williams, White of Dallas, White of Geneva—53.

Nays—Messrs. Bogart, Bourdeaux, Winston—3.

Also,

House bill 423, the title of which is set out in the above senate message.

Yeas 60, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—60.

Also,

House bill 817, the title of which is set out in the above senate message.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Bevis, Bogart, Bourdeaux, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Hampton, Henderson, Higgins, Johnson, Kemp, King, Ledyard, Lee, Lewis, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, Mc-



Leod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Webb, Williams, Woolf—53.

Also,

House bill 559, the title of which is set out in the above senate message.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Dykes, George, Henderson, Hundley, Kemp, King, Knight, Ledyard, Lee, Longshore, Maddox, Mancill, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Paine, Parker, Pettus, Porter, Posey, Smith, Stansel, Stowers, Walker, Ward, Weaver, Williams, Woolf, White of Geneva—52.

Also,

House bill 430, the title of which is set out in the above senate message.

Yeas 39, nays 22.

Yeas—Messrs. Adams, Benners, Bevis, Bogart, Bush, Bradley, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Davie, Dupree, George, Hampton, King, Knight, Lay, Ledyard, Lewis, Longshore, Mancill, McLendon, McLeod, Nisbet, Paine, Pitts, Porter, Posey, Simmons, Smith, Stansel, Stowers, Ward, Watson, Williams, Woolf—39.

Nays—Messrs. Speaker, Allen, Billingslea, Bolton, Blevins, Darby, Dykes, Henderson, Higgins, Hundley, Kyle, Lee, Maddox, Maley, McElderry, Nelson, NeSmith, Parker, Pettus, Smisson, Walker, White of Geneva—22.

Also,

House bill 419, the title of which is set out in the above senate message.

Yeas 53, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Cochrane, Cunningham, Davie, Dupree, Dykes, Henderson, Higgins, Kyle, Ledyard, Long, Longshore, Maddox, Maley, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Parker, Pitts, Posey, Powell, Russell, Simmons, Sowell, Smaw, Smith, Stansel, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—53.

Nay—Mr. White of Dallas—1.

Also,

H. B. 544. The title of which is set out in the above senate message.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Billingslea, Bolton, Bush, Brown, Carter, Cochrane, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Higgins, Hundley, Johnson, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Stansel, Stowers, Wade, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

Also,

H. B. 644. The title of which is set out in the above senate message.

Yeas 57, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Bradley, Brown, Cochrane, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Paine, Parker, Pitts, Porter, Posey, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Weaver, Wiley, Winston, Woolf, White of Dallas, White of Geneva—57.

Also,

H. B. 975. The title of which is set out in the above senate message.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Dark, Davie, Dupree, Hampton, Henderson, Higgins, Kyle, Lay, Ledyard, Lewis, Maddox, Maley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Simmons, Smaw, Stansel, Stowers, Wade, Walker, Watson, Weaver, Webb, Williams, Winston, Woolf, White of Dallas, White of Geneva—54.

Also,

H. B. 632. The title of which is set out in the above senate message.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Billings-

lea, Bolton, Bush, Bradley, Brown, Clements, Cochrane, Cunnirtingham, Dark, Davie, Dupree, Dykes, George, Henderson, Higgins, Hundley, Kemp, King, Ledyard, Lee, Longshore, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Rattray, Simmons, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Webb, Williams, Woolf, White of Dallas, White of Geneva—52.

Also,

H. B. 974. The title of which is set out in the above senate message.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Allen, Billingslea, Bolton, Bourdeaux, Blevins, Brown, Carter, Cochrane, Cunningham, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Simmons, Summers, Smau, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—55.

Also,

H. B. 577. The title of which is set in the above senate message.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Billingslea, Bolton, Bush, Bradley, Brown, Clements, Cochrane, Cunningham, Dark, Davie, Dykes, George, Henderson, Higgins, Hundley, Kemp, King, Knight, Ledyard, Lee, Lewis, Longshore, Maddox, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Rattray, Simmons, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Webb, Williams, Woolf White of Dallas, White of Geneva—54.

Also,

H. B. 863. To regulate Mobile Harbor.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Cornelius, Cunningham, Dark, Davie, Higgins, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey,

Rattray, Smisson, Smith, Stansel, Stowers, Walker, Ward, Webb, Williams, Winston, Woolf, White of Geneva—52.

And non-concurred in the senate amendments to—

H. B. 243. The title of which is set out in the above senate message.

And acceded to the request of the senate for a committee of conference on—

s. 215. The title of which is set out in above senate message.

Committee on the part of the house—

Messrs. Bush, Cochrane and Lee.

And on motion laid the joint resolution relative to the employment of clerks on the table.

*Mr. Speaker :*

Your joint committee, to which was referred the joint resolution as to the necessity of the two houses taking a recess, recommend that the general assembly, when it adjourns to night, shall adjourn to meet again on Thursday morning, at the usual hours of meeting of the two houses, and finally adjourn at 12 p. m. at night, on Thursday.

J. C. COMPTON,	} Senate.
DANIEL SMITH.	

J. J. WHITE,	} House.
A. D. PITTS,	
ERWIN LEDYARD.	

The report of the committee was concurred in.

#### CONFERENCE REPORT.

*Mr. Speaker :*

Your committee of conference on the disagreeing votes of the two houses, on house bill 557, to amend subdivisions 2, 3, 5, 6 and 7, of section 454 of the Code of 1886, have had the same under consideration, and beg leave to report and recommend as follows:

1. That the substitute adopted by the senate be so amended as to strike out the words "seventy five cents," wherever the same occurs in the said substitute, and insert the words "one dollar" in lieu thereof.

2. That as thus amended the house adopt the substitute of the senate.

Respectfully submitted,

W. BREWER,  
W. B. INGE,  
FRANCISCO RICE.

On part of the senate.

W. H. LAY,  
M. L. STANSEL,  
N. A. CLEMENTS.

On part of the house.

The above report of the conference committee was concurred in.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Ben-  
ners, Bevis, Bogart, Bolton, Bourdeaux, Bush, Brown, Carter,  
Clements, Dark, Dupree, Dykes, Fitzpatrick, Henderson,  
Hundley, Kemp, King, Knight, Kyle, Lay, Ledyard, Long,  
Longshore, Maley, Moseley, McElvey, McLendon, LcLeod,  
Nelson, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell,  
Pratt, Simmons, Smaw, Smith, Stansel, Stowers, Wade,  
Walker, Ward, Webb, Winston, Woolf, White of Dallas,  
White of Geneva—53.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has concurred in the report of the conference committee on the bill,

s. 215. To prohibit the sale of spirituous, vinous or malt lipuors in township 17, range 6, east, in Perry county, except within the corporate limits of Uniontown, Perry county, Alabama.

The senate concurs in the report of the joint committee on final adjournment.

And insists upon its amendments to

H. B. 897. To amend sub-division 22 of section 629 of the Code,

And asks a committee of conference thereon.

Committee on the part of the senate, Messrs. Brewer, Clanton and Handley.

Also insists upon its amendments to

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers

whose husbands were killed or died in said war, and who have not since re-married.

And has concurred in the house joint resolution relative to adjournment.

Committee on part of senate, Messrs. Compton and Smith.  
W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house acceded to the request of the senate for conference committees on the senate amendments to the bills—

H. B. 897. The title of which is set out in the above senate message,

Committee on the part of the house, Messrs. Lewis, Clements and Smisson.

And accedes to the request of the senate for a conference committee on

H. B. 243. The title of which is set out in above senate message,

Committee on the part of the house, Messrs White of Dallas, Lay and Cochrane.

#### REPORT OF COMMITTEE OF CONFERENCE.

*Mr. Speaker:*

The joint committee to whom was referred the disagreement of the two houses in reference to senate bill 215, recommend,

That the house recede from its amendment so far as to strike from its provisions, wherever they occur, the words "prevent the manufacture or sale of domestic wines, or to,"

And add in caption and body of bill, "or within three miles of Corinth church in Cullman county; or within four miles of New Ebenezer Baptist church, in Coffee county;"

And after the words, Lauderdale county, "not to go into effect in last named district until January 1st, 1890."

A. B. Bush,  
Wm. G. Cochrane,  
R. A. Lee.

Committee on part House.

J. R. Cowan,  
John S. Harris,  
A. L. Pope.

Committee on part Senate.



The foregoing report of the committee on conference was concurred in.

Yeas 50, nays 2.

Yeas—Messrs. Speaker, Bogart, Bolton, Blevins, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Hundley, Johnson, Kemp, Kyle, Lay, Ledyard, Lee, Longshore, Mancill, Miller, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Patton, Porter, Posey, Rabb, Simmons, Smisson, Smith, Stansell, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Woolf, White of Geneva—50.

Nays—Messrs. Lewis, Clark—2.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 792. To create the town of New Decatur a separate school district, to incorporate the same, and define its powers and duties.

H. B. 902. To regulate the practice and proceedings in civil cases in the circuit court of Jefferson county, in this State, and in the Supreme Court on appeal from judgments rendered in said cases.

H. B. 704. To amend sections 1, 3, 5 and 13 of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

H. B. 791. To incorporate the trustees of the Indigent Ministers' fund of the Coosa River Baptist Association.

H. B. 970. To create the office of cotton weigher of Limestone county, to provide for filling the same, and to prescribe the duties and compensation thereof.

H. B. 684. To define and prescribe a lawful fence in certain portions of the county of Madison.

H. B. 741. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four (4) miles of Tolbert Baptist church, in beat sixteen (16) in all directions in Henry county.

H. B. 501. For the relief of Mrs. Mary Johnson, widow of Bryant Johnson, late of Conecuh county.

H. B. 733. To incorporate the Jasper Trust Company.

H. B. 27. To amend subdivisions 17 and 18 of section 96, and subdivision 8 of section 120 of the Code of Alabama.

H. B. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph and Shelby counties.

H. B. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

H. B. 931. To establish a new charter for the town of Attalla.

H. B. 735. To ratify and confirm the charter of the Jasper Land Company, of Jasper, Alabama.

H. B. 110. To abolish the county court in Covington county, and to provide for the transfer of the unfinished business in said court to the circuit court of said county.

B. M. MILLER,  
Chairman of Committee.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 183. To amend section four of an act entitled an act to incorporate the town of Hartselle, in the county of Morgan, approved February 1st, 1889.

s. 73. To provide for the registration of all claims against the fine and forfeiture fund of Colbert county.

s. 304. To amend section 1 of an act approved on the 12th day of February, 1887, and entitled an act to prevent stock from running at large in certain parts of Marengo county.

s. 133. To authorize private business corporations incorporated under the laws of this State, to hold stockholders and directors meetings and do corporate acts in other States of the Union.

s. 371. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of said railroad.

s. 325. To provide for the listing of lands by tax assessors.

s. 466. To require the clerk of the circuit court of Jefferson county, in this State, to index the several records and books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

- s. 49. To codify the local laws of each county in this State.
- s. 374. To amend section 1594 of the Code of Alabama.
- s. 131. To protect outstanding crops in the county of Mobile.
- s. 303. For the relief of James B. Cornegay, of Marengo county.
- s. 272. For the relief of W. R. H. Loden, late sheriff of Marion county.
- s. 445. To amend the charter of the Jacksonville Mining and Manufacturing Company, a corporation organized under the general incorporation laws.
- s. 110. To confirm the incorporation and organization of "Tuskaloosa and Castle Hill Real Estate and Manufacturing Company," and to declare and define the powers of said company.
- s. 480. To incorporate the Orphans Home of the North Alabama Annual Conference of the Methodist Episcopal Church, South.
- s. 302. To determine and fix the amount of poll tax available each scholastic year for school purposes.
- s. 353. To amend section 1588 of the Code of Alabama.
- s. 453. To authorize corporations to amend defects in their organizations.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of committee on enrolled bills and senate message.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 26, 1889.

*Mr. Speaker:*

The governor has approved the following bills, which originated in the house:

House bills 435, 879, 500, 200, 762, 773, 885, 84, 932, 813,

845, 98, 389, 782, 859, 757, 697, 619, 832, 359, 417, 806, 519, 723, 55, 881, 788, 702, 797, 420, 594, 819, 1020 and 470.

THOS. H. CLARK,  
Recording Secretary.

The house resumed consideration of—

BILLS ON THIRD READING.

And bills were called up as follows:

By Mr. Dark—

s. 133. To authorize private business corporations, incorporated under the laws of this State, to hold stockholders and directors meetings, and do corporate acts in other States of the union.

The bill was read the third time at length and passed—yeas 52, nays 1.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Cochrane, Darby, Davie, Dupree, Fitzpatrick, George, Hampton, Hundley, Johnson, Kemp, Ledyard, Lee, Lewis, Lonshore, Maddox, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, NeSmith, Paine, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smisson, Smith, Stowers, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Dallas, White of Geneva—52.

Nay—Mr. Dykes.

By Mr. George—

s. 500. To amend an act to incorporate the city of Wetumpka, approved January 30, 1839.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Adams, Anderson, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Higgins, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, McRee, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Rabb, Simmons, Smaw, Smisson, Smith, Stowers, Ward, Williams, Winston, Woolf, White of Dallas, White of Geneva—59.

By Mr. Rabb—

s. 488. To amend section 791 of the Code of Alabama of 1886.

The bill was read the third time at length and passed—yeas 52, nays 2.

Yeas—Messrs. Adams, Allen, Benners, Bevis, Bogart, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochran, Dark, Dupree, Fitzpatrick, Hampton, Hundley, King, Knight, Ledyard, Lee, Lewis, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Parker, Pettus, Pitts, Porter, Posey, Powell, Rabb, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stowers, Walker, Ward, Watson, Webb, Williams, Woolf, White of Dallas, White of Geneva—52.

Nays—Messrs. Bolton and Henderson—2.

By Mr. Cochran—

s. 208. To amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, as amended by an act entitled an act to amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 23, 1883; and to amend section 84 of an act entitled an act to amend an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 7, 1885; and to amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, by the addition of sections 88, 89, 90, 91 and 92, in reference to the erection of a city building or buildings within said city, and by the addition of sections 93, 94, 95 and 96 in reference to the completion of existing, and the erection of additional school buildings within said city; and by the addition of sections 97, 98 and 99 in reference to the building and construction of a system of sewerage in the said city.

The amendments offered by the committee were adopted.

Mr. Clements offered the following amendments, which were lost:

Amend by striking out section 2. Strike out § 88 of section 3.

The bill was read the third time at length and passed—yeas 47, nays 23.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Carter, Cochran, Cornelius, Cunningham, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Henderson, Hundley, Knight, Ledyard, Lewis, Longshore, Maley, Miller, Moseley, McElderry, McElvey, McLeod, NeSmith, Parker, Pettus, Pitts, Porter, Posey, Pratt, Sowell, Smaw, Smith, Stansel, Stowers, Wade, Walker, Ward, Watson, Wiley, Williams, Winston, Woolf, White of Dallas—47.

Nays—Messrs. Adams, Allen, Bourdeaux, Blevins, Brown, Clements, Denson, Dupree, Dykes, Higgins, Kemp, Kyle, Lee, Maddox, McLendon, Nelson, Paine, Patton, Rattray, Simmons, Smisson, Weaver, Webb—23.

# SPECIAL ORDERS.

## *First.*

s. 430. To amend section 4611 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Allen, Anderson, Benners, Billingslea, Bogart, Bush, Blevins, Bradley, Brown, Clements, Cunningham, Dark, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, Knight, Kyle, Lay, Ledyard, Lewis, Longshore, Maley, Miller, McElvey, McLendon, McLeod, NeSmith, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rabb, Rattray, Simmons, Sowell, Smaw, Smisson, Smith, Stowers, Wade, Walker, Ward, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—55.

## *Second.*

s. 362. To amend section 4564 of the Code.

Mr. Pettus offered a substitute, which was adopted.

The bill was read the third time at length and lost—yeas 23, nays 41.

Yeas—Messrs. Benners, Bush, Cunningham, Dark, Davie, Fitzpatrick, George, Knight, Lee, Lewis, Miller, Moseley, Nisbet, Patton, Pitts, Porter, Smaw, Smisson, Stansel, Wiley, Woolf, White of Geneva—23.

Nays—Messrs. Speaker, Adams, Allen, Billingslea, Bogart, Bolton, Bourdeaux, Bradley, Brown, Carter, Cornelius, Dupree, Dykes, Hampton, Henderson, Higgins, Hogue, Hundley, Johnson, Kyle, Lay, Ledyard, Longshore, Maley, McElderry, McElvey, McLendon, Nelson, Paine, Parker, Pettus, Posey, Rattray, Simmons, Wade, Walker, Ward, Watson, Weaver, Webb, Williams, White of Dallas—41.

At 1:30 p. m., the house stood adjourned till 3 p. m. to-day.



## AFTERNOON SESSION.

The house met pursuant to adjournment.  
A quorum was present.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Dark—

s. 316. To relieve G. B. Adair of Tallapoosa county of the disabilities of non-age.

The bill was read the third time at length and passed—yeas 51, nays 3.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Bogart, Bolton, Bush, Bradley, Brown, Carter, Cochrane, Cornelius, Cunningham, Dark, Dupree, Hampton, Henderson, Higgins, Hundley, Kemp, King, Lay, Ledyard, Lewis, Longshore, Maley, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Parker, Patton, Porter, Posey, Powell, Pratt, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Weaver, Webb, Williams, White of Geneva—51.

Nays—Messrs. Benners, Bourdeaux, Pettus—3.

By Mr. Blevins—

s. 461. To incorporate the city of Fort Paine in the county of DeKalb, Alabama.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Mess. Speaker, Adams, Allen, Arrington, Benners, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Weaver, Webb, Williams, Woolf, White of Geneva—55.

## SPECIAL ORDERS.

*First.*

s. 361. To amend section 4504 of the Code.

The bill was read the third time at length and lost—yeas 30, nays 43.

Yeas—Messrs. Arrington, Benners, Billingslea, Bolton, Bush, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Henderson, Johnson, Knight, Miller, McElderry, McLendon, Nisbet, Porter, Posey, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Ward, Watson, White of Dallas—30.

Nays—Messrs. Speaker, Adams, Allen, Bogart, Bourdeaux, Bradley, Brown, Carter, Clements, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Hampton, Higgins, Hundley, Kemp, King, Lee, Longshore, Mancill, Maley, Moseley, McElvey, McLeod, Nelson, NeSmith, Paine, Parker, Patton, Pettus, Pitts, Powell, Wade, Walker, Weaver, Webb, Williams, Winston, Woolf, White of Geneva—43.

Mr. Pettus moved to reconsider the vote by which the bill was lost, and the further consideration of the motion was postponed till to-morrow.

*Second.*

s. 363. To amend section 4648 of the Code.

The bill was read the third time at length and passed—yeas 38, nays 27.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Brown, Carter, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Johnson, Kemp, Lay, Ledyard, Lee, Long, Mancill, Maley, Moseley, McElvey, Nelson, NeSmith, Parker, Pettus, Pitts, Porter, Rabb, Smith, Webb, Williams, Woolf, White of Dallas—38.

Nays—Messrs. Benners, Bourdeaux, Blevins, Clements, Cochrane, Davie, George, Hundley, King, Knight, Kyle, Lewis, Longshore, Miller, McElderry, McLendon, McLeod, Paine, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Stansel, Webb, Winston, Woolf—27.

*Third.*

s. 359. To amend section 4655 of the Code.

On motion of Mr. Bourdeaux, the bill was laid on the table. The house resumed consideration of

BILLS ON THIRD READING,

And bills were called up as follows :  
By Mr. Pratt—

s. 476. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

Mr. Pratt moved to amend by adding Autauga to the provisions of the bill.

Carried.

The bill was read the third time at length and passed—yeas 44, nays 8.

Yeas—Messrs. Speaker, Adams, Bevis, Billingslea, Bourdeaux, Bush, Blevins, Bradley, Brown, Carter, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Kyle, Ledyard, Lee, Maddox, Mancill, Maley, Miller, McElderry, McElvey, McLendon, McLeod, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Smaw, Smith, Stansel, Stone, Stowers, Ward, Webb, Williams, Winston—44.

Nays—Messrs. Benners, Bolton, Hundley, Johnson, Long, Nelson, Rabb, Weaver—8.

By Mr. Pitts—

s. 459. To equalize and fix the amount of the salaries of certain officers in this State.

Mr. Pitts offered an amendment, which was adopted.

Mr. Adams moved to lay the bill on the table.

The motion was lost.

Yeas 28, nays 44.

Yeas—Messrs. Adams, Allen, Arrington, Bevis, Bolton, Bourdeaux, Blevins, Bradley, Cunningham, Dark, Dupree, Dykes, Higgins, Johnson, Kemp, Lay, Lewis, Maddox, McElvey, Nelson, NeSmith, Powell, Simmons, Smisson, Ward, Webb, Winston, White of Geneva—28.

Nays—Messrs. Benners, Billingslea, Bogart, Bush, Brown, Carter, Clements, Cochran, Cornelius, Davie, Fitzpatrick, Hampton, Hundley, King, Knight, Ledyard, Lee, Mancill, Maley, Miller, Moseley, McElderry, McLeod, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Pratt, Rabb, Ratray, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver, Wiley, Williams, Woolf, White of Dallas—44.

The bill was read the third time at length and lost—yeas 33, nays 43.

Yeas—Messrs. Speaker, Benners, Billingslea, Bush, Brown, Cochran, Cornelius, Davie, Fitzpatrick, Hampton, Knight, Kyle, Ledyard, Lee, Longshore, Maley, Moseley, McLeod, Nisbet, Pettus, Pitts, Porter, Pratt, Rabb,

Smaw, Smith, Stansel, Stowers, Watson, Wiley, Williams, Woolf, White of Dallas—33.

Nays—Messrs. Adams, Allen, Arrington, Bevis, Bogart, Bolton, Bourdeaux, Bradley, Carter, Clements, Cunningham, Dark, Dupree, Dykes, Henderson, Higgins, Hundley, Johnson, Kemp, King, Lewis, Long, Maddox, Miller, McElderry, McElvey, McLendon, Nelson, NeSmith, Paine, Parker, Patton, Posey, Powell, Rattray, Simmons, Wade, Walker, Ward, Weaver, Webb, Winston, White of Geneva—44.

By Mr. Long—

s. 492. To regulate the publication of notices of sales of personal property by sheriff in Winston county.

The bill was read the third time at length and passed—yeas 53, nays 2.

Yeas—Messrs. Bevis, Billingslea, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kemp, King, Knight, Lee, Long, Longshore, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Ward, Weaver, Williams, White of Dallas—53.

Nays—Messrs. Adams, Bourdeaux—2.

By Mr. Wade—

s. 367. To amend section 2551 of the Code.

Mr. Henderson moved to amend the bill by inserting "2551" in lieu of "2251" in section 1.

Carried.

The bill was read the third time at length and passed—yeas 54, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Beners, Bolton, Blevins, Brown, Cochrane, Cornelius, Darby, Dark, Davie, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Johnson, Kemp, King, Knight, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Porter, Posey, Simmons, Smaw, Smith, Stansel, Stowers, Tatum, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—54.

Nay—Mr. Bourdeaux—1.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 268. For the relief of Arthur Vinson, of Franklin county.

s. 473. For the relief of James B. Conine of Tallapoosa county.

s. 198. To remove the guardianship of Corinne E. Rives, Frank A. Rives, Lula A. Rives, Virginia F. Rives, Eloise Rives and Walter Rives, from the county of Lowndes to the county of Dallas.

s. 308. To authorize the Macon & Birmingham Railroad Company, a corporation under the laws of Georgia, to construct, maintain and operate its railroad within the State of Alabama, and do all other things needful for that purpose.

W. L. CLAY,  
Secretary.

## ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following correctly enrolled :

H. B. 386. To amend section 3947 of the Code of Alabama, so far as the same relates to the county of Jefferson.

H. J. R. 6. To receive a grant for benefit of agricultural experiment stations.

H. B. 35. For the relief of parties whose lands were sold for taxes and purchased by the State, prior to the first day of January, 1887.

H. B. 718. To amend section 3210 of the Code.

H. B. 587. For the relief of W. S. Page, of the county of Jackson.

H. B. 784. To change the name of Minnie Lee Jenkins, of Russell county, to that of Minnie Lee Turner.

H. B. 682. To relieve Jesse H. Thompson, of Macon county, Ala., of the disabilities of non-age.

H. B. 592. To create a separate school district in Marion and Lamar counties, and to define the boundaries thereof.

H. B. 255. To repeal an act entitled an act to provide for the keeping in better repair the public roads and highways of Morgan county.

H. B. 203. To amend section 1399 of the Code of Alabama.  
 H. B. 1005. To incorporate the Tuskegee, Tallassee and Sylacauga Railroad Company, and to further the construction of said railroad.

H. B. 286. To repeal an act entitled an act to regulate the pay and mileage of jurors and commissioners of Geneva county, and to provide for payment of the same, approved January 27, 1872.

H. B. 521. To provide the manner of payment of certain fees allowed sheriffs as provided under section 4872 of the Code.

H. B. 986. To provide for an additional watchman at the capitol.

H. B. 425. To amend section 143 of the Code.

H. B. 858. To amend section 150 of the Code.

H. B. 759. To regulate the issuance of licenses for the sale of intoxicating liquors in any of the several beats in Geneva county, Alabama.

H. B. 643. To prescribe the mode of notice to administrators, executors and guardians, in certain cases.

H. B. 1018. To authorize the county commissioners of Monroe county to levy a special tax of one-fifth of one per cent for bridge purposes.

H. B. 609. To amend section 1305 of the Code.

H. B. 608. To amend section 4038 of the Code of Alabama.

H. B. 726. For the preservation of game animals and birds in the counties of St. Clair, Lauderdale, Colbert, Marengo, Jefferson, Pike and Covington.

H. B. 508. To amend section 1761 (2098) of the Code of Alabama.

H. B. 119. To make appropriations for the payment of the railroad commissioners and their clerk, and for other expenses of the railroad commission.

H. B. 756. To amend, in so far as the same applies to Hale county, an act entitled an act for the preservation of game and animals and birds in the counties of Hale, Cullman and Greene, approved February 26, 1887.

H. B. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river at or near the city of Montgomery, and to authorize the board of revenue of Montgomery county and the court of county commissioners of Autauga county severally to issue bonds to pay for the same.



H. B. 480. To prevent stock from running at large in beats seven, one, two and thirteen in Chambers county.

H. B. 209. To prevent stock from running at large in the several beats of Randolph and Calhoun counties, and to authorize elections thereon.

H. B. 173. To regulate the purchase of cotton products in those sections of Barbour county where the sale of cotton in the seed is now prohibited by law.

H. B. 924. To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

H. B. 520. To amend sections 1879, 1880, 1881 and 1882 of the Code.

H. B. 580. For the preservation of game animals and birds in the county of Tuscaloosa.

H. B. 441. To amend sections 1 and 7 of an act approved February 22, 1887, to authorize the issue of the bonds of the State to the amount of nine hundred and fifty-four thousand dollars, for the purpose of paying, taking up and canceling the bonds of the State, bearing six per cent. per annum, issued under an act approved February 13, 1879, to provide for the funding of the domestic debt of the State.

H. B. 783. For the relief of T. H. Skinner, S. G. Woolf, C. F. Compton and T. M. Witherspoon.

H. B. 913. To provide for the payment of the salary of the solicitor of the 10th judicial circuit.

H. B. 486. To amend sections 463 and 529 of the Code.

H. B. 221. To prohibit the selling or otherwise disposing of vinous, spirituous or other intoxicating liquors in any of the precincts in Covington county, unless the same shall first be submitted to the voters of such precinct or precincts.

H. B. 934. To incorporate the Southern Iron Company.

H. B. 864. For the relief of S. F. Pennington, late sheriff of Lamar county.

H. B. 319. To relieve William E. Jones of Chambers county, Alabama, of the disabilities of non-age.

B. M. MILLER,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills and senate message.

Mr. Shorter (Mr. Clements in the chair), moved to reconsider the vote by which the house concurred in the report of the conference committee on

H. B. 557. To amend subdivisions 2, 3, 5, 6 and 7 of sections 454 of the Code of 1886.

The consideration of the motion went over as unfinished business.

At 6 p. m. the house stood adjourned till 8 p. m. to-day.

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### NIGHT SESSION.

The house reassembled at 8 p. m.

A quorum was present.

### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Pitts—

s. 366. For the better prevention of mobs, riots and tumults.

The amendments offered by the committee were laid on the table.

The bill was read the third time at length and passed—yeas 50, nays 7.

Yeas—Messrs. Speaker, Adams, Allen, Anderson, Arrington, Barnett, Benners, Bevis, Bush, Blevins, Bradley, Cunningham, Davie, Dupree, George, Henderson, Higgins, Hundley, Kemp, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Maley, McElderry, McElvey, McLeod, Nelson, NeSmith, Patton, Pitts, Posey, Powell, Pratt, Simmons, Smaw, Smith, Stansel, Stowers, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—50.

Nays—Messrs. Bogart, Bolton, Brown, Maddox, Mancill, Moseley, Sowell—7.

### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed the following bills :

H. B. 549. To constitute the town of LaFayette, in Chambers county, a separate school district.

H. B. 815. To incorporate the Piedmont High School, in the town of Piedmont, in county of Calhoun and State of Alabama.

H. B. 512. To amend an act to create a separate school district in Coffee county, Ala., and define the boundaries thereof, approved December 11, 1886.

H. B. 451. To amend section 1423 of the Code.

H. B. 989. To amend the title and also sections one and five of an act to authorize the mayor and board of aldermen of the city of Gadsden, to negotiate a loan for lighting said city, either by gas or electricity, for drainage, sewerage, and for sanitary purposes, and to issue bonds for the payment of the same, approved February 28, 1887.

H. B. 622. To incorporate the city of Jenifer, Alabama.

H. B. 495. To amend section 6 of an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16, 1879.

H. B. 772. To incorporate Woodstock Academy, in Bibb county.

H. B. 949. To repeal an act entitled an act to amend section one of an act to incorporate the town of Northport, approved February 24, 1887.

H. B. 826. To amend section 17 of an act to amend an act to establish a new charter for the city of Birmingham, approved February 17, 1883.

H. B. 780. To repeal an act entitled an act to define the county line between Dallas and Perry counties, approved December 28, 1868.

H. B. 306. To incorporate the Selma Park Association.

H. B. 527. To amend the charter of the Shelby Iron Company.

H. B. 890. To amend the charter of the First Presbyterian Church of Talladega, Ala.

H. B. 640. To amend section eight of an act "to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and to establish a local government therefor," approved February 17, 1883.

H. B. 1030. To amend an act to amend section 12 of an act entitled an act to establish a new charter for the town of La Fayette in the county of Chambers, approved February 26, 1881.

H. B. 980. To authorize the mayor and aldermen of Elkmont, in Limestone county, to license, regulate, restrain or

prohibit the sale of liquors in that town.

H. B. 462. To amend an act to establish the city court of Birmingham, approved December 9, 1884.

H. B. 671. Ratifying, approving and confirming the action of the mayor and board of aldermen of Birmingham in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel building a portion of one of the public alleys in the city of Birmingham.

H. B. 29. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company.

H. B. 781. For the relief of the tax collector of Mobile county.

H. B. 860. To provide for the disposition of the funds derived from the sale of the 16th sections or other school lands, and to secure the interest thereon for the public schools of the State.

H. B. 595. For the relief of A. Sweat, of Henry county.

H. B. 776. To authorize Mrs. Iron R. Vance, widow of Jno. M. Vance, deceased, to sell certain lands in Tuskalooza and Bibb counties, belonging to the estate of the said Jno. M. Vance, deceased, at private or public sale, as may be deemed for the best interest of said estate.

H. B. 972. To require the probate judge of Hale county to make indexes, direct and cross, to all deeds and other conveyances recorded in his office, setting out name of each grantor and grantee, and providing his compensation for the same.

H. B. 455. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon street and suburban railways within the city limits.

H. B. 663. To fix the pay of the county commissioners, and judge of probate of Jefferson county.

H. B. 649. To amend the charter of the city of Faunsdale, Marengo county, Alabama.

H. B. 626. To regulate the taking up and confinement of stock running at large in certain stock law districts of Autauga county.

H. B. 721. To amend section 3365 of the Code of Alabama.

H. B. 637. To repeal an act to protect domestic animals in Covington county against camp hunters.

H. B. 1012. To amend section 1664 of the Code of Alabama.

And has concurred in the house amendments to

s. 476. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

s. 367. To amend section 2551 of the Code.

And non-concurs in the house amendment to

s. 362. To amend section 456 of the Code.

And concurs in the house amendment to the bill,

s. 208. To amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, as amended by an act entitled an act to amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 23, 1883; and to amend section 84 of an act entitled an act to amend an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 7, 1885; and to amend an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, by the addition of sections 88, 89, 90, 91 and 92, in reference to the erection of a city building or buildings within said city, and by the addition of sections 93, 94, 95 and 96 in reference to the completion of existing, and the erection of additional school buildings within said city; and by the addition of sections 97, 98 and 99 in reference to the building and construction of a system of sewerage in the said city.

And has amended as therein shown, and as amended, has passed

H. B. 692. To amend section 3682 of the Code of Alabama.

H. B. 942. To regulate the collection and payment of solicitors' fees into the State treasury.

H. B. 415. To prevent hunting and fishing on lands within the Warrior agricultural district, Tuscaloosa county, after the owner thereof shall have forbidden the same by notice posted on land within the Warrior agricultural district, Tuscaloosa county, or by publication in a newspaper.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to the following bills:

H. B. 692. To amend section 3682 of the Code of Alabama.

Yeas 54, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bush, Blevins, Brown,  
Clements, Cochran, Cunningham, Davie, Dupree, Dykes,  
Higgins, Hundley, Lay, Ledyard, Lee, Lewis, Longshore,  
Maddox, Maley, Moseley, McElvey, McLeod, NeSmith, Nis-  
bet, Paine, Parker, Patton, Pitts, Posey, Powell Pratt,  
Rattray, Smisson, Smith, Stansel, Stowers, Walker, Ward,  
Watson, Weaver, Webb, Wiley, Williams, Woolf, White  
of Geneva—54.

Nay—Mr. Kemp—1.

Also,

H. B. 415. The title of which is set out in the foregoing  
senate message.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bil-  
lingslea, Bogart, Bourdeaux, Bush, Blevins, Bradley, Brown,  
Clements, Cochran, Cornelius, Cunningham, Davie, Dupree,  
George, Henderson, Higgins, Hundley, Lay, Ledyard, Lee,  
Lewis, Longshore, Maddox, Maley, Moseley, McElderry, Mc-  
Elvey, McLeod, NeSmith, Nisbet, Paine, Parker, Pitts, Posey,  
Powell, Pratt, Russell, Sowell, Smaw, Smith, Stansel, Stowers,  
Walker, Ward, Watson, Weaver, Webb, Wiley, Williams,  
Woolf, White of Geneva—56.

And non-concurred in senate amendment to

H. B. 942. To regulate the collection and payment of solici-  
tor's fees into the State treasury.

The house insisted on its amendment to

s. 362. To amend section 456 of the Code,

And requested a committee of conference.

Committee on the part of the house—Messrs. Lay, White of  
Dallas, and Bourdeaux.

The house resumed consideration of

#### BILLS ON THIRD READING.

And bills were called up as follows:

By McElderry—

s. 347. To amend the charter of the city of Birmingham,  
so as to enlarge the limits of said city, and so as to create a new  
ward in said city.

The amendments offered by the committee were adopted.

The bill was read the third time at length and passed—  
yeas 46, nays 10.



Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Billingslea, Bogart, Bourdeaux, Bush, Brown, Clements,  
Cochrane, Cornelius, Cunningham, Davie, Dupree, George,  
Henderson, Higgins, Hundley, Kyle, Ledyard, Long, Maddox,  
Moseley, McElderry, McElvey, McLeod, NeSmith, Nisbet,  
Paine, Parker, Patton, Pitts, Powell, Pratt, Sowell, Smaw,  
Smith, Stansel, Walker, Ward, Weaver, Webb, Williams,  
Winston—46.

Nays—Messrs. Bolton, Dykes, Johnson, Kemp, Lee, Long-  
shore, Maley, Watson, Wiley, White of Geneva—10.

By Mr. Wiley—

s. 163. To amend section 3625 of the Code.

The bill was read the third time at length and passed—yeas  
55, nays 0.

Yeas—Messrs. Speaker, Allen, Anderson, Arrington, Ben-  
ners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush,  
Blevins, Bradley, Brown, Clements, Cochrane, Cornelius, Cun-  
ningham, Davie, Dupree, Dykes, George, Henderson, Higgins,  
Johnson, Ledyard, Lee, Maley, Moseley, McElderry, McElvey,  
Nelson, Nisbet, Paine, Parker, Patton, Pitts, Powell, Russell,  
Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Walker,  
Ward, Watson, Webb, Wiley, Williams, Woolf, White of  
Dallas, White of Geneva—55.

By Mr. Bush—

s. 162. To protect human life.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas  
37, nays 22.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bevis, Bush, Bradley, Clements, Cornelius, Dark, Davie,  
Dupree, George, Higgins, Hundley, Ledyard, Longshore, Ma-  
ley, McElderry, McElvey, McLeod, Paine, Parker, Pratt, Rus-  
sell, Simmons, Sowell, Smisson, Stansel, Stowers, Walker,  
Ward, Watson, Weaver, Webb, Wiley, White of Geneva—37.

Nays—Messrs. Allen, Billingslea, Bogart, Bolton, Bourdeaux,  
Blevins, Brown, Cunningham, Dykes, Johnson, Kemp, Kyle,  
Lewis, Long, Maddox, Moseley, Nelson, Nisbet, Patton, Posey,  
Powell, Williams—22.

By Mr. Adams—

s. 236. To amend sections 2 and 6 of an act entitled an act  
to amend an act to incorporate the district of Opelika, and  
provide for the government thereof, approved February 19,  
1883, approved February 16, 1885.

The amendments offered by the committee were adopted:

The bill was read the third time at length and passed—yeas 58, nays 1.

Yeas—Messrs. Speaker, Adams, Allen, Benners, Bevis, Bogart, Bolton, Bush, Blevins, Bradley, Brown, Carter, Clements, Cochrane, Cunningham, Darby, Dupree, Dykes, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, Kyle, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Maley, Moseley, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Posey, Powell, Pratt, Russell, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—58.

Nay—Mr. Cornelius—1.

By Mr. Johnson—

s. 241. To amend sections 1, 8, 9, 12, 13 and 14 of an act to create a board of education for the town of Decatur and to prescribe the duties and powers of the same.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Billingslea, Bogart, Bourdeaux, Bush, Blevins, Cunningham, Davie, Dupree, Dykes, George, Henderson, Higgins, Hundley, Kemp, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Moseley, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Posey, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Ward, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Geneva—55.

By Mr. Powell—

s. 307. To provide for the study of State history in public schools.

The amendments offered by the committee were, on motion of Mr. McLeod, laid on the table.

Mr. Bourdeaux moved to lay the bill upon the table.

Lost.

The bill was read the third time at length and lost—yeas 21, nays 42.

Yeas—Messrs. Benners, Clements, Cornelius, Davie, Dupree, Dykes, George, Higgins, Hundley, Johnson, Kemp, Knight, Ledyard, Lee, Longshore, McElvey, McLeod, Nelson, Powell, Simmons, Smaw, Stansel, Stowers, Ward, Wiley, Williams, Woolf—21.

Nays—Messrs. Speaker, Adams, Allen, Arrington, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Bradley, Brown, Cochrane, Cunningham, Dupree, Dykes, Higgins,

Hundley, Johnson, Kemp, Lay, Lewis, Long, McElvey, McLeod, Nelson, Powell, Simmons, Smaw, Stansel, Stowers, Walker, Weaver, Webb, White of Dallas—42.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested.

s. 326. To require the probate judge of Perry county to prepare and keep in his office a general direct and reversed index of the minutes and inventories, and other records relating to estates of deceased persons and guardianship proceedings, and to provide just compensation therefor.

s. 257. To provide for the answering by corporations of interrogatories propounded under the provisions of section 2816 of the Code.

s. 150. To amend section 1 of an act entitled an act to incorporate the Mechanics Hook and Ladder Company of Montgomery, approved January 26, 1858.

s. 288. To incorporate the Warrior, Attalla and Jasper Railroad Company.

s. 488. To amend section 791 of the Code of Alabama of 1886.

s. 404. To incorporate the Mobile & Eastern Shore Railway and Navigation Company.

s. 208. To amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, as amended by an act entitled an act to amend section 79 of an act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 23, 1883, and to amend section 84 of an act entitled an act to amend an act to incorporate the city of Tuscaloosa, approved March 12, 1873, approved February 7, 1885, and to amend the act entitled an act to incorporate the city of Tuscaloosa, approved March 12, 1873, by the addition of sections 88, 89, 90, 91 and 92 in reference to the erection of a city building or buildings within said city, and by the addition of sections 93, 94, 95 and 96 in reference to the completion of existing and the erection of additional school buildings within said city.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing senate message.

## RESOLUTION.

Mr. Stansel offered the following resolution :

*Resolved*, That hereafter no leave of absence shall be granted except on account of sickness, and that the call of the roll on next Thursday morning shall be published in the city papers, showing the names of members answering to the call.

Adopted.

At 11 p. m., on motion of Mr. Johnson, the house adjourned till 9:30 a. m. next Thursday.

## FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,  
Thursday, February 28, 1889.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Dupree of the house.

Present—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Lowe, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simons, Sowell, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—83.

The journal of Tuesday was read and approved.

## LEAVE OF ABSENCE

Was granted to Mr. Bradley on account of sickness.

## RECONSIDERATION.

On motion of Mr. Arrington, the vote by which  
s. 459. To equalize and fix the amount of the salaries of  
certain officers in this State,

Was lost on Tuesday, was reconsidered.

The vote ordering the bill to a third reading was reconsidered.

Mr. Pitts offered an amendment, which was adopted.

The bill was lost.

Yeas 32, nays 35.

Yeas—Messrs. Benners, Billingslea, Bush, Brown, Cochran, Cornelius, Davie, Denson, Fitzpatrick, George, Knight, Kyle, Ledyard, Maley, Miller, Moseley, McElderry, McElvey, McLeod, Nisbet, Paine, Patton, Pitts, Porter, Posey, Smaw, Smisson, Smith, Stansel, Stowers, Watson, Williams, Woolf, White of Dallas,—32.

Nays—Messrs. Adams, Arrington Bevis, Bolton, Bourdeaux, Blevins, Carter, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Hampton, Henderson, Higgins, Hundley, Kemp, King, Lee, Lewis, Long, Mancill, McLendon, Nelson, NeSmith, Parker, Powell, Rattray, Russell, Simmons, Sowell, Wade, Walker, White of Geneva—35.

Mr. Woolf moved to reconsider the vote by which

s. 363. To amend section 4648 of the Code,

Was passed on Tuesday.

Mr. Lay moved to lay that motion on the table.

Lost.

Yeas 29, nays 44.

Yeas—Messrs. Speaker, Adams, Arrington, Bolton, Brown, Carter, Dark, Dupree, Dykes, Henderson, Higgins, Johnson, Kemp, Lay, Lee, Long, Maddox, Maley, Moseley, McLendon, Nelson, NeSmith, Parker, Pitts, Porter, Pratt, Sowell, Wade, Watson, White of Dallas—29.

Nays—Messrs. Benners, Bevis, Bourdeaux, Bush, Blevins, Clements, Cochrane, Cornelius, Darby, Davie, Fitzpatrick, George, Hampton, Hundley, Knight, Kyle, Ledyard, Lewis, Longshore, Mancill, Miller, McElderry, McElvey, McLeod, Nisbet, Paine, Patton, Posey, Powell, Rattray, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Watson, Webb, Williams, Winston, Woolf, White of Geneva—44.

The motion of Mr. Woolf was carried.

Yeas 40, nays 29.

Yeas—Messrs. Benners, Bourdeaux, Blevins, Cochrane, Cornelius, Darby, Davie, Fitzpatrick, George, Hampton, Hundley, King, Knight, Kyle, Ledyard, Lewis, Longshore, Miller, Moseley, McElderry, McElvey, McLeod, NeSmith, Nisbet, Paine, Patton, Posey, Powell, Rattray, Russell, Simmons, Smaw, Smisson, Stansel, Stowers, Walker, Webb, Williams, Winston, Woolf, White of Geneva—40.

Nays—Messrs. Speaker, Adams, Arrington, Billingslea, Bolton, Brown, Carter, Clements, Dark, Dupree, Dykes, Henderson, Higgins, Johnson, Kemp, Lay, Lee, Long, Maddox, Mancill, Maley, McLendon, Nelson, Parker, Porter, Pratt, Wade, Watson, Weaver, White of Dallas—29.

The bill was lost.

Yeas 28, nays 38.

Yeas—Messrs. Speaker, Adams, Arrington, Bevis, Billingslea, Bogart, Bolton, Brown, Clements, Cunningham, Dark, Dykes, Higgins, Johnson, Kemp, Lay, Long, Maddox, Maley, Moseley, NeSmith, Parker, Porter, Rattray, Stansel, Wade, Walker, Weaver, White of Dallas, White of Geneva—28.

Nays—Messrs. Benners, Bourdeaux, Blevins, Cochrane, Cornelius, Darby, Davie, Dupree, Fitzpatrick, Hundley, King, Knight, Kyle, Ledyard, Lee, Lewis, Longshore, Miller, McElderry, McLendon, McLeod, Nisbet, Paine, Patton, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stowers, Weaver, Webb, Wiley, Williams, Winston, Woolf—38.

Mr. Shorter (Mr. Clements in the chair), moved to reconsider the vote by which the house concurred in the conference report on H. B. 557.

Carried.

Mr. Shorter (Mr. Clements in the chair), moved that the house non-concur in the report of the committee of conference on said bill, H. B. 557, and request the senate for a second committee of conference thereon.

Carried.

Committee on the part of the house : Messrs. Lay, Wiley, and Benners.

#### REPORT OF COMMITTEE.

*Mr. Speaker :*

Your committee on ways and means, to which was referred the memorial of George Wilkinson and S. H. Kneeland, praying for the appointment of a commissioner to hear



evidence and pass upon the liabilities of the State for \$300,000 straight bonds issued under an act approved March 3rd, 1870, have had the same under consideration, after patiently hearing the memorialists through their able counsel, Messrs. Semple, Humes and Gunter; and after a thorough examination of the several acts of the general assembly, and the evidence before and the reports of the committees heretofore appointed to examine into the manner of the issuance of these and other bonds of the State—and after examining the report of the commissioners appointed to settle and adjust the indebtedness of the State, made——, 1876, and an examination of Gen. L. W. Lawler, the surviving commissioner,

We report :

That the liability of the State for the bonds of memorialists was fully considered by the commissioners appointed to settle and adjust the State debt, and were by them ignored, and no claim until now has been made upon the State for their recognition. Our investigation convinces us that the action of the debt commissioners was proper, and that to re-open the settlement made by them would be unjust, both to the citizens and to the creditors of the State.

We recommend that the prayer of the memorial be not granted.

Respectfully submitted,

D. H. Lay, Chairman.  
J. A. Watters,  
N. N. Clements,  
J. M. Cunningham,  
Thos. J. Patton,  
H. J. Smisson,  
A. W. Moseley,  
D. J. Meador,  
W. T. Webb,  
W. S. Lewis,  
Wm. R. Hardy.

The report of the committee was received and adopted.

#### JOINT RESOLUTION.

*Be it resolved*, by the house of representatives, (the senate concurring), That the enrolling clerk of the house be instructed to re-enroll house bill 184, and to present the same to the governor for signature.

This bill passed the house and senate in the terms in which it was introduced, but the enrolled copy presented to the governor was an entire departure from the original bill and the engrossed copy.

Adopted.

#### BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. Maddox—

s. 296. To incorporate the Alabama Synod of the Cumberland Presbyterian Church.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Bogart, Bolton, Bourdeaux, Blevins, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Dykes, Hampton, Hundley, Johnson, Kemp, King, Knight, Kyle, Ledyard, Lee, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Weaver, Webb, Wiley, Williams, Woolf—54.

By Mr. Stansel—

s. 357. To amend the quarantine laws of the State.

Mr. Wiley moved to strike out section 2.

Carried.

Mr. Stansel move to lay the bill on the table.

Carried.

By Mr. Paine—

s. 188. To amend section 5 of an act entitled an act to incorporate the Lomax Fire Engine Company, No. 4, of the city of Montgomery, approved January 30, 1871.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Benners, Billingslea, Bogart, Bolton, Bush, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, King, Knight, Lay, Ledyard, Maddox, Mancill, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Porter, Posey, Powell, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Wade, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—54.

By Mr. Higgins—

s. 417. To constitute the city of Sheffield a separate school district.

The bill was read the third time at length and passed—yeas 66, nays 0.

Yeas—Messrs. Speaker, Anderson, Bevis, Bogart, Bolton, Bush, Blevins, Brown, Carter, Cochrane, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Hardy, Higgins, Kemp, King, Knight, Kyle, Ledyard, Lee, Long, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stone, Stowers, Tatum, Wade, Walker, Ward, Watson, Watters, Weaver, Wiley, Williams, Winston, White of Dallas, White of Geneva—66.

By Mr. Lay—

s. 498. To relieve Susan Elder, of Mobile county, from the disabilities of non age.

The bill was read the third time at length and passed—yeas 49, nays 6.

Yeas—Messrs. Adams, Arrington, Bevis, Bourdeaux, Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, Nelson, NeSmith, Nisbet, Parker, Porter, Posey, Powell, Pratt, Russell, Smisson, Stansel, Wade, Weaver, Williams, Winston, Woolf, White of Geneva—49.

Nays—Messrs. Benners, Billingslea, Bogart, Pettus, Smith, Webb—6.

By Mr. Powell—

s. 289. To amend section 2792 of the Code.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Adams, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Higgins, Hundley, Kemp, Knight, Ledyard, Lee, Lewis, Longshore, Mancill, Maley, Moseley, McElderry, McElvey, McLendon, Nelson, Nisbet, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—51.

Nays—Mr. Billingslea—1.

By Mr. King—

s. 149. To amend section 3574 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Higgins, Hundley, Kemp, Knight, Ledyard, Longshore, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Porter, Posey Powell, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Stowers, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—56.

s. 393. To provide that the county commissioners of Calhoun county shall be entitled to the same mileage when they attend special terms of the court or meet as jury commissioners, as they are now paid when they meet in regular terms.

The bill was read the third time at length and passed—yeas 55, nays 0.

Yeas—Messrs. Speaker, Arrington, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Higgins, Hundley, Kemp, Knight, Lay, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Paine, Parker, Patton, Posey, Powell, Pratt, Russell, Simmons, Smisson, Smith, Stansel, Walker, Watson, Weaver, Webb, Wiley, Williams, Woolf, White of Dallas, White of Geneva—55.

By Mr. Maley—

s. 432. To amend section 38 of the charter of the city of Bessemer, Alabama.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Arrington, Billingslea, Bogart, Blevins, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Higgins, Hundley, Kemp, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Stansel, Stowers, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—58.

By Mr. Maley—

s. 299. To amend sections 3546 and 3547 of the Code of Alabama.

The bill was read the third time at length and passed—yeas 48, nays 8.

Yeas—Messrs. Arrington, Bogart, Brown, Carter, Cochran, Cornelius, Cunningham, Dark, Davie, Dupree, Dykes, Fitzpatrick, George, Hampton, Hundley, Ledyard, Lee, Lewis, Longshore, Lowe, Maley, Moseley, McElderry, McLendon, Nelson, Nisbet, Paine, Parker, Patton, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Walker, Weaver, Webb, Wiley, Williams, White of Geneva—48.

Nays—Messrs. Billingslea, Blevins, Johnson, Maddox, Pettus, Rattray, Winston—8.

By Mr. Rattray—

s. 479. To amend section one (2) of an act approved February 6th, 1885, entitled an act to amend section 4414 of the Code.

The amendment offered by the committee was adopted.

The bill was read the third time at length and passed—yeas 51, nays 1.

Yeas—Messrs. Speaker, Bogart, Bush, Blevins, Carter, Cochran, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Hampton, Higgins, Hundley, Johnson, Knight, Lay, Ledyard, Lowe, Longshore, Lowe, Mancill, Moseley, McLendon, Nelson, NeSmith, Nisbet, Paine, Parker, Pettus, Pitts, Porter, Posey, Powell, Pratt, Rattray, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Walker, Watson, Weaver, Wiley, Williams, Woolf, Winston, White of Geneva—51.

Nay—Mr. Maddox—1.

By Mr. Dykes—

s. 174. To declare Thomas W. Shrader, a liner between the counties of Chilton and Shelby, a citizen of the county of Chilton, and to change the line between said counties.

The bill was read the third time at length, and, on motion of Mr. Longshore, was laid on the table.

By Mr. Parker—

s. 504. To prevent stock from running at large in certain portions of beat 8, in Elmore county.

Mr. Parker offered an amendment, which was adopted.

The bill was read the third time at length and passed—yeas 54, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Bourdeaux, Bush,

Blevins, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Higgins, Lay, Lee, Maddox, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smith, Stansel, Stowers, Walker, Watson, Weaver, Wiley, Williams, Winston, Woolf, White of Geneva—54.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate concurs in the house amendments to  
s. 162. To protect human life.

s. 236. To amend sections 2 and 6 of an act to amend an act to incorporate the District of Opelika and provide for the government thereof, approved February 19, 1883, approved February 16, 1885,

And accedes to the request of the house for a second committee of conference on the bill—

H. B. 557. To amend sub-divisions 2, 3 and 5, 6 and 7 of section 454 of the Code.

Committee on part of the senate : Messrs. Tayloe, Handley and Compton.

And concurs in report of committee of conference on —

H. B. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers whose husbands were killed or died in said war, and who have not since remarried.

And insists upon its amendment to the bill—

H. B. 942. To regulate the collection and payment of solicitors' fees into the State treasury;

And asks a committee of conference thereon.

Committee on the part of the senate : Messrs. Parks, Compton and Stallworth ;

And accedes to the request of the house for a committee of conference on—

s. 362. To amend section 4564 of the Code.

Committee on part of senate : Messrs. Clanton, Inge and Handley;

And has amended and passed—

H. B. 803. To incorporate the Alabama Loan and Banking Company of Florence, Alabama.

W. L. CLAY,  
Secretary.



## SENATE MESSAGE.

The house acceded to the request of the senate for a committee of conference on

H. B. 942—title set out in above senate message.

Committee on the part of the house—Messrs. Lay, Clements and Smisson.

And concurred in the senate amendment to

H. B. 803. To incorporate the Alabama Loan and Banking Company of Florence, Alabama.

Yeas 53, nays 0.

Yeas—Messrs. Speaker, Allen, Benners, Bevis, Bogart, Bolton, Bush, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Davie, Fitzpatrick, George, Hampton, Henderson, Hundley, King, Knight, Kyle, Lay, Ledyard, Long, Longshore, Mancill, Maley, Moseley, McElderry, McLeod, NeSmith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Smaw, Smisson, Smith, Stansel, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—53.

## CONFERENCE REPORT.

*Mr. Speaker:*

Your committee of conference, on the disagreeing votes of the two houses on house bill 243, have had under consideration the bill referred to them, and beg leave to recommend and report, viz:

1. That the senate recede from the vote by which it adopted section 9 of said bill.

2. That the substitute of the senate to said house bill 243, as thus amended, be adopted by the two houses.

W. BREWER,

F. RICE,

W. B. INGE,

Committee on part of Senate.

J. F. WHITE,

D. H. LAY,

W. G. COCHRANE,

Committee on part of the House.

The above report of the conference committee was concurred in.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Billingslea, Bogaert, Bolton, Bourdeaux, Bush, Blevins, Clements, Cochran, Cornelius, Cunningham, Dark, Davie, Denson, Fitzpatrick, Hampton, Hardy, Henderson, Hundley, Johnson, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Miller, Moseley, McElderry, McLendon, McLeod, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Smaw, Smisson, Smith, Stansel, Wade, Walker, Watson, Weaver, Webb, Williams, White of Geneva—54.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the report of the committee of conference on

H. B. 897. To amend subdivision 22 of section 629 of the Code.

And has concurred in the house joint resolution relative to the re-enrollment of house bill 184.

W. L. CLAY,  
Secretary.

REPORT OF CONFERENCE COMMITTEE.

*Mr. Speaker:*

Your committee of conference, to whom was referred house bill No. 897, and amendments thereto, beg leave to report that they have had the same under consideration, and after due consideration report the following recommendations:

1. That the house concur in the first and second senate amendments.
2. That the senate recede from its third amendment.

W. BREWER,  
J. CLANTON,  
W. A. HANDLEY,

Committee on part of Senate.

W. S. LEWIS,  
H. J. SMISSON,  
N. N. CLEMENTS,

Committee on part of the House.

The report of the committee of conference, set out above, was concurred in.

Yeas 51, nays 2.

Yeas—Messrs. Adams, Benners, Bevis, Bogart, Bush, Blevins, Brown, Carter, Clements, Cunningham, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Hundley, Kemp, King, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Pettus, Porter, Posey, Simmons, Smaw, Smisson, Smith, Stansel, Wade, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—51.

Nays—Messrs. Billingslea and Powell—2.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate asks the return of house bill 980.

And has passed

H. B. 554. To make appropriations for the payments of sheriffs for the removal of prisoners for the fiscal year ending September 30, 1887, the appropriation for the purpose named for said year having been exhausted.

H. B. 565. To regulate the trial of bastardy proceedings in Mobile county.

And has amended, as therein shown, and as amended has passed

H. B. 851. To pay J. W. Portis and James Cobbs for professional services rendered the State of Alabama, in the case of the State v. Y. S. Clements and his sureties in Washington county circuit court.

H. B. 648. To provide for the service of process in real actions where the defendant secretes himself.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The request of the senate for the return of

H. B. 980 was granted, and the clerk was instructed to return said bill.

On motion, the house concurred in the senate amendments to the following bills :

House bill 851, the title of which is set out in the above senate message.

Yeas 55, nays 0.

Yeas—Messrs. Bolton, Bourdeaux, Bush, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McLendon, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Powell, Pratt, Simmons, Sowell, Smaw, Smisson, Stansel, Stowers, Wade, Walker, Watson, White of Geneva—55.

Also,

House bill 648, the title of which is set out in the above senate message.

Yeas 55, nays 0.

Yeas—Messrs. Speaker, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Carter, Cochrane, Cornelius, Cunningham, Dark, Davie, Fitzpatrick George, Hampton, Hundley, Johnson, Kemp, King, Knight, Kyle, Lay, Ledyard, Lee, Lewis, Long, Longshore, Maddox, Maley, Miller, Moseley, McElderry, McElvey, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Watson, White of Geneva—55.

#### ENROLLED BILLS.

*Mr. Speaker :*

The committee on enrolled bills report the following correctly enrolled :

H. B. 512. To amend an act to create a separate school district in Coffee county, Ala., and define the boundaries thereof, approved December 11, 1886.

H. B. 781. For the relief of the tax collector of Mobile county.

H. B. 671. Ratifying, approving and confirming the action of the mayor and aldermen of Birmingham in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel building a portion of one of the public alleys in the city of Birmingham.

H. B. 815. To incorporate the Piedmont High School, in the town of Piedmont, in the county of Calhoun and State of Alabama.

H. B. 626. To regulate the taking up and confinement of stock running at large in certain stock law districts of Autauga county.

H. B. 29. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company.

H. B. 676. For the relief of the firm of Dewberry & Bevis, composed of A. L. Dewberry and J. C. Bevis.

H. B. 318. To incorporate the Covington and Escambia Alliance, Navigation and Transportation Company.

H. B. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

H. B. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State.

H. B. 999. For the preservation of game animals and birds in the county of Greene.

H. B. 477. To amend the charter of Talladega College, Talladega, Alabama.

H. B. 328. To amend section 1 of an act to authorize a subscription by the State to an index digest of the Alabama reports, approved February 28, 1887.

H. B. 692. To amend section 3682 of the Code of Alabama.

H. B. 637. To repeal an act to protect domestic animals in Covington county against camp hunters.

H. B. 869. For the relief of G. N. Buchanan, of the county of Pike.

H. B. 790. To change the name of the town of Brundidge, Pike county, Alabama.

H. B. 177. To amend section 2756 of the Code of 1886.

H. B. 846. To repeal an act entitled an act to authorize the laying out of the county of Pike, into commissioners' districts and providing for the election of commissioners by the qualified voters of the county.

H. B. 664. To amend and confirm the charter of the Elyton Land Company, a corporation organized under the general incorporation laws of the State.

H. B. 515. For the relief of Lewis R. Powell.

H. B. 700. To authorize the county treasurer of Marshall county to re-register certain claims against the fine and forfeiture fund of said county.

H. B. 632. To bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county.

H. B. 1017. To amend section 1 of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

H. B. 738. To amend section 491 of the Code of Alabama.

H. B. 892. To incorporate the Lowndes Rifles, Company D, First Regiment of Alabama State Troops.

H. B. 332. To amend section 2758 of the Code of Alabama.

H. B. 555. For the protection of widows and minor children.

H. B. 419. To elect the county board of commissioners of Lowndes county by the qualified electors of said county.

H. B. 937. To relieve Francis L. Everett and Elina B. Everett of the disabilities of non-age.

H. B. 640. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and establish a local government therefor, approved February 17, 1883.

H. B. 675. To incorporate the Florence Belt Railroad and Improvement Company.

H. B. 974. For the relief of R. G. Allen as administrator of W. G. Allen, deceased, late sheriff of Clarke county.

H. B. 644. To provide for repairing and furnishing the capitol and improving the capitol grounds.

H. B. 975. For the relief of Virginia E. Carter, as administratrix of David Carter, deceased, late sheriff of Clarke county.

H. B. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh.

H. B. 38. To establish two branch agricultural experiment stations and agricultural schools, one in North Alabama and the other at or near Abbeville, in Henry county, in Southeast Alabama.

H. B. 559. To amend section 11 of an act entitled an act to better enforce the working of public roads in the counties of Montgomery and Hale, approved February 23, 1883, as amended by an act entitled an act to better enforce the working of public roads in the counties of Montgomery and Hale, approved February 23, 1883, so far as the same relates to Hale county, approved February 12, 1885, so far as the same relates to Hale county.

H. B. 868. To regulate Mobile harbor.

H. B. 926. To establish the city of Gadsden a separate public school district.

H. B. 430. To amend section one (1) of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same relates to Mobile and Baldwin counties.

H. B. 349. To authorize the Mobile Street Railway Com-



pany to establish and operate one or more public parks or gardens at the places therein designated, and to provide for the protection of the employees and visitors while thereat or going to or returning therefrom.

H. B. 980. To authorize the mayor and aldermen of Elkmont, in Limestone county, to license, regulate, restrain or prohibit the sale of liquors in that town.

H. B. 527. To amend the charter of the Shelby Iron Company.

H. B. 952. To pay Robert Hasson, doorkeeper of the house, and James Armstrong, doorkeeper of the senate, for articles purchased for the use of the senate and house of representatives.

H. B. 725. To amend section 6 of an act entitled an act to incorporate the St. Clair Coal Company, approved February 17, 1885.

H. B. 194. To amend sections 762 and 763 of the Code of 1886, relating to the summoning of constables by the sheriffs to attend and wait upon the sittings of the circuit courts of this State.

H. B. 890. To amend the charter of the first Presbyterian church of Talladega, Ala.

H. B. 4. Authorizing the payment of fines and forfeitures with certain claims in the counties of Cherokee, Blount and Marshall.

H. B. 1028. To amend an act entitled an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888.

H. B. 823. For the relief of George B. Fellows, as the administrator of the estate of H. D. Fellows, deceased.

H. B. 599. To repeal an act entitled an act to authorize and require the county superintendent of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly.

H. B. 423. To prohibit the taking up or bearing arms by any person, persons, or body of men in a military capacity unless authorized by law.

H. B. 945. To amend section 6 of an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16, 1879.

H. B. 1030. To amend an act to amend section 12 of an act entitled an act to establish a new charter for the town of La-Fayette in the county of Chambers, approved February 26, 1881.

H. B. 772. To incorporate Woodstock Academy, in Bibb county.

s. 721. To amend section 3365 of the Code of Alabama.

H. B. 415. To prevent hunting and fishing on lands within the Warrior agricultural district, Tuscaloosa county, after the owner thereof shall have forbidden the same by notice posted on land within the Warrior agricultural district, Tuscaloosa county, or by publication in a newspaper.

H. B. 973. To regulate the finances of Montgomery county.

H. B. 972. To require the probate judge of Hale county to make indexes direct and cross to all deeds and other conveyances recorded in his office, setting out each name of grantor and grantee, and providing his compensation for same.

H. B. 663. To fix the pay of the county commissioners of Jefferson county.

H. B. 455. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon street and suburban railways within the city limits.

H. B. 595. For the relief of A. Sweat of Henry county.

H. B. 184. To require the commissioners of roads and revenue of Greene county to give bond.

H. B. 860. To provide for the disposition of the fund received from the sale of 16th section or other school lands, and to secure the interest thereon for the public schools of the State.

H. B. 776. To authorize Mrs. Joan R. Vance, widow of Jno. M. Vance, deceased, to sell certain lands in Tuscaloosa and Bibb counties belonging to the estate of said Jno. M. Vance, deceased, at private or public sale, as may be deemed for the best interest of said estate.

H. B. 744. Authorizing and permitting the board of trustees of the Alabama Insane Hospital to grant the right to open rock quarries on the lands belonging to the hospital for the purpose of building locks and dams in the Warrior river by the United States government, and quit claim the same.

H. B. 544. To amend the charter of the city of Montgomery, and the various acts amendatory thereof.

H. B. 1027. To preserve order at the Douglassville Camp Ground in the county of Escambia.

H. B. 842. To amend section 2 of an act entitled an act to authorize and empower the court of county commissioners of

Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies, approved February 23, 1883.

H. B. 1012. To amend section 1664 of the Code of Alabama.

H. B. 817. To authorize the commissioners court of Calhoun county to levy a tax for working the public roads of said county, and to let out said roads by contract.

H. B. 991. To incorporate the male and female academy, located in the town of Leighton, Lawrence county, Alabama.

H. B. 462. To amend an act to establish the city court of Birmingham, approved December 9, 1884.

H. B. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

H. B. 780. To repeal an act entitled an act to define the county line between Dallas and Perry counties, approved December 28, 1868.

H. B. 989. To amend the title and also sections one and five of an act to authorize the mayor and board of aldermen of the city of Gadsden, to negotiate a loan for lighting said city, either by gas or electricity, for drainage, sewerage, and for sanitary purposes, and to issue bonds for the payment of the same, approved February 28, 1887.

H. B. 489. To authorize the registration of claims of justices of the peace and notaries public, who are ex-officio justices of the peace and constables against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

H. B. 468. To provide for the better policing of Frascati Park in the city of Mobile and its environs, and for the better protection of visitors thereto.

H. B. 866. To incorporate the Vernon Institute.

H. B. 494. For the protection of the health of female employees engaged in commercial pursuits.

H. B. 451. To amend section 1428 of the Code.

H. B. 884. To amend section 10 of the Code.

H. B. 987. For the relief of B. F. Noble of Montgomery county.

H. B. 1011. To require the sheriffs of the counties in this State to keep a correct record in his office of each and every prisoner in the jail.

H. B. 1004. To regulate the fees of the sheriff of Clarke county.

H. B. 949. To repeal an act entitled an act to amend sec-

tion one of an act to incorporate the town of Northport, approved February 24, 1887.

H. B. 732. To empower the governor of Alabama to reconvey to the United States a certain tract of land described in this bill.

H. B. 990. To constitute a separate school district to be known as the Salem school district, in the county of Lee and State of Alabama, and for the appointment of a board of trustees therefor.

H. B. 577. To regulate the trial of misdemeanors in Shelby county, Alabama.

H. B. 306. To incorporate the Selma Park Association.

H. B. 833. To enable heirs and distributees to perpetuate testimony to show that they are heirs or distributees.

B. M. MILLER,  
Chairman.

MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 448. To prevent trespass upon and damage to the property of the University of Alabama, and the Alabama Insane Hospital.

s. 461. To incorporate the city of Fort Paine in the county of DeKalb, Alabama.

s. 375. To amend section 17 of an act to incorporate the city of Calera, in the county of Shelby, approved February 24, 1887.

s. 492. To regulate the publication of notices of sales of personal property by sheriff, in Winston county.

s. 500. To amend an act to incorporate the city of Wetumpka, approved January 30, 1839.

s. 391. To amend an act to incorporate the city of Sheffield, in the county of Colbert, approved February 17, 1885, and to confer additional powers and duties on the city council of the said city of Sheffield.

s. 241. To amend sections 1, 8, 9, 12, 13 and 14 of an act to create a board of education for the town of Decatur, and to prescribe the duties and powers of the same.

s. 369. To authorize the mayor and council of the town of Decatur to negotiate a loan for the purpose of constructing sewers and making other permanent public improvements in said town, and to issue bonds for the payment of said loan.

s. 426. To confirm the incorporation and organization of the "Florence Cotton and Iron Company," and to define and declare the powers of said company.

s. 476. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore and Autauga counties.

s. 363. To amend section 4648 of the Code.

s. 277. To amend sections one (1), three (3), five (5) and nine (9) of an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 28, 1887.

s. 367. To amend section 2551 of the Code.

s. 430. To amend section 4611 of the Code of Alabama.

s. 366. For the better prevention of mobs, riots and tumults.

s. 493. To authorize the governor to negotiate temporary loans not exceeding one hundred thousand dollars.

s. 236. To amend sections 2 and 6 of an act entitled an act to amend an act to incorporate the district of Opelika and provide for the government thereof, approved February 19, 1883, approved February 16, 1885.

s. 317. For the relief of Mrs. Sivilla C. Black of Fayette county.

s. 178. To authorize Louisa W. Henderson, adm'x of the estate of John Henderson, deceased, to purchase lands for estate under sale or sales of same when made under mortgage or deed or deeds of trust executed to intestate in his life time, and to sell the land or any part thereof so purchased, either at private or public sale, and to make good and sufficient deeds of conveyance to same.

s. 244. To amend the charter of the Birmingham Trust and Savings company, incorporated under the general laws of Alabama.

s. 316. To relieve G. B. Adair of Tallapoosa county of the disabilities of non-age.

s. 271. To amend section 981 of the Code.

s. 162. To protect human life.

s. 163. To amend section 3625 of the Code.

s. 347. To amend the charter of the city of Birmingham so as to enlarge the limits of said city, and so as to create a new ward in said city.

W. L. CLAY,  
Secretary.

## SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills and senate message.

At 1:30 p. m. the house stood adjourned till 3:00 p. m. to-day.

## AFTERNOON SESSION.

The house re assembled at 3, p. m.

A quorum was present.

## BILLS ON THIRD READING.

Bills were called up as follows :

By Mr. McLeod—

s. 195. To amend an act to protect the owners of stock in Clarke county.

Mr. George moved to lay the bill on the table.

Lost.

The bill was read the third time at length and passed—yeas 33, nays 22.

Yeas—Messrs. Speaker, Bolton, Blevins, Clements, Cornelius, Darby, Dark, Dupree, Dykes, Hampton, Higgins, Hundley, Lay, Ledyard, Lee, Longshore, Maddox, Maley, Moseley, McLendon, McLeod, Nelson, NeSmith, Parker, Porter, Posey, Pratt, Rattray, Russell, Smaw, Smith, Stowers, Walker, Webb, Woolf—33.

Nays—Messrs. Anderson, Bevis, Billingslea, Bogart, Bush, George, Henderson, Lewis, Maddox, Miller, Nisbet, Paine, Patton, Powell, Simmons, Stowers, Wade, Weaver, Williams, Winston, White of Dallas, White of Geneva—22.

By Mr. Nelson—

s. 415. To incorporate the Alabama Investment and Security company.

The bill was read the third time at length and passed—yeas 40, nays 14.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Bevis, Bush, Blevins, Brown, Cornelius, Cunningham, Darby, Dark,



Dupree, Fitzpatrick, King, Knight, Ledyard, Lewis, Longshore, Moseley, McLendon, McLeod, Nelson, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Pratt, Simmons, Smaw, Smisson, Smith, Stowers, Wade, Webb, Wiley, Williams—40.

Nays—Messrs. Benners, Billingslea, Bogart, Hundley, Johnson, Lay, Maddox, Maley, NeSmith, Walker, Watson, Weaver, Winston, White of Geneva—14.

By Mr. Williams—

s. 486. To incorporate the Anniston Loan and Trust company of Anniston, Alabama.

The bill was read the third time at length and passed—yeas 39, nays 15.

Yeas—Messrs. Speaker, Arrington, Bevis, Bogart, Brown, Clements, Cochrane, Cunningham, Darby, Dark, Fitzpatrick, Hampton, Henderson, Hundley, Kyle, Ledyard, Lee, Lewis, Longshore, Miller, Moseley, McLendon, Nelson, Paine, Parker, Pitts, Porter, Pratt, Rattray, Simmons, Smaw, Smisson, Stansel, Stowers, Wade, Walker, Weaver, Williams, Woolf—39.

Nays—Messrs. Adams, Allen, Billingslea, Bolton, Bush, Blevins, Higgins, Maley, McElvey, McLeod, NeSmith, Posey, Smith, Willams, White of Geneva—15.

By Mr. Brown—

s. 175. To authorize the court of county revenues of Chilton county to issue bonds of said county to an amount not exceeding twenty-five thousand dollars, for the purpose of building a court house for said county.

The bill having consumed over ten minutes in discussion, under the rule, went back on the calendar.

By Mr. Watson—

s. 327. To authorize and require the register in chancery, of the chancery district composed of the county of Crenshaw, to act as probate judge in said county, in reference to an executorship, administration, or guardianship, when the probate judge is incompetent under the provisions of section 647 of the Code.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Carter, Clements, Cochrane, Cunningham, Darby, Dark, Davie, Dupree, Fitzpatrick, George, Hampton, Henderson, Hundley, Kemp, Knight, Kyle, Lay, Lee, Lewis, Long, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElderry, McElvey, McLendon, McLeod, Nelson, Nisbet, Smaw, Smith, Stansel, Stowers,

Walker, Watson, Weaver, Webb, Williams, White of Dallas, White of Geneva—53.

By Mr. Wiley—

s. 32. To require justices of the peace and other committing magistrates to report all cases of persons held by them on preliminary trial to the grand jury on the second day of each term of the circuit and city courts.

The bill was read the third time at length and passed—yeas 53, nays 0.

Yeas—Messrs. Speaker, Barnett, Benners, Brown, Carter, Clements, Cochrane, Cornelius, Cunningham, Darby, Dark, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Johnson, King, Lay, Ledyard, Lee, Lowe, Mancill, Maley, Miller, Moseley, McElvey, McLendon, McLeod, Nelson, NeSmith, Nisbet, Paine, Parker, Pitts, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Walker, Watson, Weaver, Wiley, Woolf, White of Geneva—53.

By Mr. Lee—

s. 106. To amend section 1396 of the Code.

The amendment offered by the committee was, on motion of Mr. Lee, laid on the table.

The bill was read the third time at length and passed—yeas 43, nays 12.

Yeas—Messrs. Adams, Anderson, Arrington, Benners, Bevis, Bourdeaux, Blevins, Brown, Clark, Clements, Darby, Dark, Dupree, Dykes, George, Hampton, Henderson, Higgins, Kyle, Lee, Maley, Miller, Moseley, McElvey, McLendon, Nisbet, Paine, Patton, Posey, Powell, Simmons, Smaw, Smith, Stansel, Stowers, Wade, Watson, Weaver, Wiley, Winston, Woolf, White of Dallas—43.

Nays—Messrs. Speaker, Cochrane, Cornelius, Cunningham, Hundley, Ledyard, Maddox, McLeod, Nelson, Parker, Porter, Walker—12.

By Mr. Higgins—

s. 48. To confer certain rights and privileges in the State of Alabama upon the Helena, Tupelo and Decatur Railroad Company, a corporation chartered by the laws of the State of Mississippi, and for other purposes.

The bill was read the third time at length and passed—yeas 40, nays 14.

Yeas—Messrs. Arrington, Bevis, Bogart, Bourdeaux, Brown, Cochrane, Cornelius, Cunningham, Darby, Dark, Dupree, Hampton, Henderson, Higgins, Hundley, Johnson,

Kemp, Knight, Kyle, Lee, Lewis, Longshore, Maddox, Mancill, Miller, Moseley, McElderry, McLendon, Nelson, Paine, Parker, Patton, Powell, Pratt, Simmons, Smaw, Smisson, Stansel, Walker, Watson—40.

Nays—Messrs. Adams, Anderson, Billingslea, Bolton, Bush, Blevins, Maley, McElvey, McLeod, NeSmith, Posey, Smith, Winston, White of Geneva—14.

By Mr. Simmons—

s. 31. To further define and punish the crime of embezzlement.

The bill was read the third time at length and passed—yeas 42, nays 15.

Yeas—Messrs. Speaker, Adams, Anderson, Bevis, Bogart, Bourdeaux, Bush, Brown, Clements, Cunningham, Darby, Dark, Dupree, Dykes, George, Hampton, Henderson, Ledyard, Lee, Longshore, Mancill, Maley, Moseley, McLendon, McLeod, Nelson, Paine, Parker, Pitts, Porter, Rattray, Russell, Simmons, Smith, Stansel, Wade, Weaver, Webb, Wiley, Williams, Woolf, White of Geneva—42.

Nays—Messrs. Blevins, Cochrane, Higgins, Hundley, Knight, Kyle, Lewis, Maddox, Miller, McElvey, NeSmith, Powell, Stowers, Walker, Winston—15.

By Mr. Benners—

s. 305. To permit small balances due employees for wages or services to be disposed of for the benefit of their widows and orphans without administration.

The bill was read the third time at length and passed—yeas 61, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Bevis, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Lee, Long, Longshore, Maddox, Maley, Miller, Moseley, McElvey, McLeod, Nelson, Nisbet, Paine, Parker, Pettus, Porter, Posey, Powell, Rattray, Simmons, Smaw, Smisson, Stansel, Stowers, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, Woolf, White of Dallas, White of Geneva—61.

Mr. Stansel moved to take from the table—

s. 357. To amend the quarantine laws of the State.

Carried.

Yeas 35, nays 24.

Yeas—Messrs. Adams, Benners, Clements, Cochrane, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kyle, Lay, Led-

yard, Longshore, Maley, Moseley, McLendon, Nelson, Patton, Porter, Pratt, Rattray, Smaw, Smisson, Smith, Stansel, Wiley, Williams, Woolf—35.

Nays—Messrs. Speaker, Anderson, Arrington, Billingslea, Bogart, Bolton, Bourdeaux, Bush, Blevins, Johnson, Maddox, McElvey, McLeod, Parker, Posey, Powell, Walker, Ward, Watson, Weaver, Winston, White of Dallas, White of Geneva—24.

Mr. McLeod moved that the further consideration of the bill be indefinitely postponed.

Lost.

Yeas 23, nays 29.

Yeas—Messrs. Speaker, Adams, Anderson, Bogart, Bourdeaux, Bush, Blevins, Brown, Darby, Dark, Dupree, Lee, McLeod, Paine, Parker, Posey, Powell, Simmons, Wade, Watson, White of Geneva—23.

Nays—Messrs. Benners, Cochrane, Cunningham, Dykes, Fitzpatrick George, Hampton, Henderson, Higgins, Hundley, Ledyard, Longshore, Maley, Moseley, Nelson, Nisbet, Patton, Pitts, Porter, Rattray, Smaw, Smisson, Smith, Stansel, Stowers, Weaver, Wiley, Williams, Woolf—29.

The bill was read the third time at length and passed—yeas 45, nays 7.

Yeas—Messrs. Speaker, Anderson, Benners, Bevis, Bogart, Bush, Blevins, Brown, Clements, Cochrane, Cunningham, Dark, Dupree, Fitzpatrick, George, Hampton, Henderson, Higgins, Hundley, Kyle, Lay, Ledyard, Maley, Miller, Moseley, McElvey, Nelson, Nisbet, Paine, Patton, Pitts, Porter, Pratt, Rattray, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Weaver, Wiley, Williams, Woolf—45.

Nays—Messrs. Bourdeaux, Darby, Dykes, McLeod, Parker, Simmons and Watson—7.

#### CONFERENCE REPORT.

*Mr. Speaker:*

Your second committee of conference, on the disagreement of the two houses on house bill 557, have had the same under consideration, and beg leave to report and recommend as follows:

1. That the substitute adopted by the senate be so amended as to strike out the words "seventy-five cents," wherever the same occurs in the said substitute, and insert in lieu thereof the words "one dollar."

2. That the said substitute be further amended by inserting after the word "State" and before the word "except" in the ninth line of the substitute, the following: "except licenses required by cities and towns and."

3. That as thus amended the house adopt the substitute of the senate.

Respectfully submitted,

W. H. TAYLOE,  
W. A. HANDLEY,  
J. C. COMPTON,

Managers on part of Senate.

D. H. LAY,  
A. A. WILEY,  
A. H. BENNERS,

Managers on part of the House.

The report of the conference committee, set out above, was concurred in.

Yeas 56, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Billingslea, Bogart, Bolton, Bush, Blevins, Brown, Clements, Cunningham, Dark, Dupree, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Knight, Kyle, Lay, Ledyard, Lee, Longshore, Maddox, Mancill, Maley, Miller, Moseley, McElvey, McLeod, Nelson, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Rattray, Russell, Simmons, Smisson, Smith, Stansel, Walker, Watson, Weaver, Webb, Wiley, Winston, Woolf, White of Dallas, White of Geneva—56.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker :*

The senate has passed the following bills :

H. B. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

H. B. 601. To amend and vacate the incorporation of the town of Broken Arrow.

H. B. 23. To confirm, amend and enlarge the charter of the DeBardeleben Coal and Iron Company.

H. B. 963. To authorize Alex. Caffee to establish a ferry across the Tennessee river.

H. B. 636. To amend section 43 of the Code, so far as the same relates to Coosa county.

H. B. 302. To repeal an act entitled an act for the pres-

ervation of game animals and birds in the counties of Mobile, Talladega and other counties named therein.

H. B. 1034. To incorporate the Union Springs & Chattanooga Railroad Company.

H. B. 910. To incorporate the town of Haleysville, in the county of Winston.

H. B. 672. To establish a charter for the town of Avondale, in Jefferson county.

H. B. 192. To provide greater security for travelers on passenger trains in this State.

H. B. 868. To confirm the incorporation of "The Young Men's Christian Association of Birmingham," a body corporate, created under the general laws of Alabama, and to grant additional powers to said corporation and prescribe the method by which it may mortgage or alienate its property.

H. B. 245. To authorize the election of an additional major in each regiment of State troops.

H. B. 865. To authorize N. L. Trull to survey and establish lines in the county of Fayette.

And has concurred in the report of the committee of conference on

H. B. 942. To regulate the collection and payment of solicitors' fees into the State treasury.

And has amended, as therein shown, and as amended has passed

H. B. 537. To amend section 4035 of the Code, so far as the same relates to Lamar, Bibb, Cleburne, Randolph and Chambers counties.

And has concurred in the report of the second conference committee on the bill,

H. B. 557. To amend subdivisions 2, 3, 5, 6 and seven of section 454 of the Code of 1886.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house has concurred in the senate amendments to

H. B. 537—title set out in above senate message.

Yeas 54, nays 0.

Yeas—Messrs. Speaker, Adams, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Carter, Clements, Cochran, Cunningham, Darby, Dark, Davie, Dupree, Dykes,



Fitzpatrick, Hampton, Higgins, Hundley, Kemp, Knight, Lay, Ledyard, Lee, Lewis, Longshore, Maley, Mancill, Moseley, McElderry, McElvey, McLendon, Nelson, NeSmith, Nisbet, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Walker, Watson, Weaver, Webb, Wiley, Williams, Winston, White of Dallas, White of Geneva—54.

# CONFERENCE REPORT.

## *To Honorable Senate and House of Representatives :*

The committee of conference on the disagreement of the two houses upon the senate amendment to house bill No. 942—a bill to be entitled an act to regulate the collection and payment of solicitors' fees into the State treasury ;

Have had the same under consideration and respectfully report that they have come to an agreement, and recommend that the senate recede from its amendment to said bill.

I. H. PARKS,  
N. STALLWORTH,  
J. C. COMPTON,

Committee on part of Senate.

D. H. LAY,  
N. N. CLEMENTS,  
H. J. SMISSON,

Committee on part of House.

The report of the conference committee, set out above, was concurred in.

Yeas 52, nays 0.

Yeas—Messrs. Speaker, Anderson, Arrington, Benners, Bevis, Billingslea, Bush, Blevins, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Dupree, Dykes, Fitzpatrick, Hampton, Henderson, Higgins, Hundley, Kyle, Ledyard, Lee, Lewis, Longshore, Maley, Moseley, McElvey, McLendon, Nelson, Nisbet, Paine, Parker, Porter, Posey, Powell, Pratt, Rattray, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver, Wiley, Winston, Woolf, White of Geneva—52.

# CONFERENCE REPORT.

*Mr. Speaker :*

Your conference committee, to whom was referred senate

bill 362, beg leave to report that they have failed to agree, and have no hope of doing so.

D. H. LAY,

J. F. WHITE,

T. D. BOURDEAUX,

On the part of the House.

The report of the committee was received and the committee was discharged.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has amended as therein shown, and as amended, has passed

H. B. 276. To provide for the public printing of the State,  
And has passed

H. B. 608. To ratify and approve the numbering of the sections of the Code of 1886, as printed.

H. B. 479. To amend section 1319 of the Code.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house non-concurred in the senate amendment to

H. B. 276. To provide for the public printing of the State  
And asked for a committee of conference thereon.

Committee on part of the house—Messrs. Ledyard, Fitzpatrick and Winston.

MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate accedes to the request of the house for a committee of conference on the bill

H. B. 276. To provide for the public printing of the State.

Committee on the part of the senate—Messrs. Brewer, Rice and Haralson,

W. L. CLAY,  
Secretary.

## ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following correctly enrolled:

H. B. 897. To amend subdivisions 22 and 29 of section 629 of the Code.

H. B. 910. To incorporate the town of Haleysville, in the county of Winston.

H. B. 1034. To incorporate the Pensacola, Union Springs and Chattanooga Railroad Company.

H. B. 648. To provide for the service of process in real actions where the defendant secretes himself.

H. B. 851. To pay J. W. Portis and James Cobbs for professional services rendered the State of Alabama in the case of the State vs. Y. S. Clements and his sureties, in Washington county circuit court.

H. B. 565. To regulate the trial of bastardy proceedings in Mobile county.

H. B. 636. To amend section 43 of the Code, so far as the same relates to Coosa county. Regulates the pay and mileage of members of the general assembly.

H. B. 302. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Talladega and other counties named therein.

H. B. 192. To provide greater security for travelers on passenger trains in this State.

H. B. 868. To confirm the incorporation of "The Young Mens' Christian Association of Birmingham," a body corporate, created under the general laws of Alabama, and to grant additional powers to said corporation and to prescribe the method by which it may mortgage or alienate its property.

H. B. 245. To authorize the election of an additional major in each regiment of State troops.

H. B. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

H. B. 622. To incorporate the city of Jenifer, Alabama.

H. B. 732. An act to empower the governor of Alabama to reconvey to the United States a certain tract of land, upon conditions described in this act.

H. B. 549. To constitute the town of LaFayette, in Chambers county, a separate school district.

H. B. 963. To authorize Alex. Caffee to establish a ferry across the Tennessee river.

H. B. 620. To constitute the city of Montgomery a separate school district.

H. B. 826. To amend section 17 of an act to amend an act to establish a new charter for the city of Birmingham, approved February 17, 1883.

H. B. 601. To amend and vacate the incorporation of the town of Broken Arrow.

H. B. 554. To make appropriations for the payments of sheriffs for the removal of prisoners for the fiscal year ending September 30, 1887, the appropriation for the purpose named for said year having been exhausted.

H. B. 672. To establish a charter for the town of Avondale, in Jefferson county.

H. B. 23. To confirm, amend and enlarge the charter of the DeBardeleben Coal and Iron Company.

H. B. 694. To amend the charter of the city of Faunsdale, Marengo county, Alabama.

B. M. MILLER,  
Chairman of Committee.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The president of the senate having signed the following bills, your signature thereto is requested:

s. 417. To constitute the city of Sheffield a separate school district.

s. 149. To amend section 3574 of the Code of Alabama.

s. 289. To amend section 2972 of the Code.

s. 432. To amend section 38 of the charter of the city of Bessemer, Alabama.

s. 393. To provide that the county commissioners of Calhoun county shall be entitled to the same mileage when they attend special terms of the court or meet as jury commissioners, as they are now paid when they meet in regular terms.

s. 299. To amend sections 3546 and 3447 of the Code of Alabama.

s. 479. To amend section one of an act approved February 6th, 1885, entitled an act to amend section 4414 of the Code.

s. 454. To incorporate the American Coal Company.

s. 195. To amend an act to protect the owners of stock in Clarke county.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of the committee on enrolled bills and senate message.

#### MESSAGE FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
February 28, 1889.

*Mr. Speaker :*

The governor has approved the following bills which originated in the house :

House bills 391, 899, 635, 784, 608, 609, 783, 587, 206, 590, 756, 849, 203, 726, 316, 242, 480, 119, 986, 286, 1005, 934, 410, 604, 255 ;

And house joint resolution 6 ;

And house bills 735, 719, 937, 398, 787, 209, 173, 320, 924, 580, 441, 399, 913, 759, 592, 521, 643, 425, 478, 501, 35, 791, 221, 704, 970, 110, 733, 684, 741, 902, 858, 792, 695, 486, 801, 86, 674, 25, 830, 614, 731, 27, 718, 1018.

THOS. H. CLARK,  
Recording Secretary.

At 6 p. m. the house adjourned till 8 p. m. to-day.

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#### NIGHT SESSION.

The house re-assembled at 8 p. m.  
A quorum was present.

#### BILLS ON THIRD READING.

On the call of the counties bills were called up for passage as follows :

By Mr. Higgins—

s. 161. To amend section one of an act to establish a new charter for the town of Cullman, approved February 7, 1879.

The bill was read the third time at length and passed—yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Benners, Bevis, Bogart, Bush, Blevins, Brown, Clements, Cornelius, Cunningham, Darby, Dark, Denson, Dupree, Dykes, Fitzpatrick, George, Henderson, Higgins, Hundley, Johnson, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Miller, Moseley, McElvey, McLeod, Nelson, Nisbet, Paine, Patton, Pettus, Pitts, Porter, Posey Powell, Pratt, Russell, Simmons, Smaw, Smisson, Smith, Stowers, Walker, Watson, Weaver, Wiley, Williams, Woolf, White of Geneva—58.

By Mr. Maddox—

s. 495. To amend section two and four of an act entitled an act to provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

The bill was read the third time at length and passed—yeas 59, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Benners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clements, Cunningham, Dark, Davie, Denson, Dupree, Dykes, Fitzpatrick, George, Henderson, Higgins, Hundley, Kyle, Ledyard, Lee, Lewis, Longshore, Maddox, Maley, Moseley, McElvey, McLeod, Nelson, Nisbet, Paine, Parker, Patton, Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver, Wiley, Williams, Woolf, White of Geneva—59.

#### REPORT OF COMMITTEE OF CONFERENCE.

Mr. Ledyard, from a conference committee, submitted the following report :

*Mr. Speaker :*

Your committee of conference on the disagreement of the two houses on senate amendments to,

H. B. 276. To provide for the public printing of the State,

Have considered the same, and respectfully recommend that the house concur in the senate amendments.

W. BREWER,

FRANCISCO RICE,

W. W. HARRALSON,

Committee on part of Senate.



ERWIN LEDYARD,  
ALVA FITZPATRICK,  
JNO. G. WINSTON, Jr.  
Committee on part of House.

On motion the conference report was concurred in.

Yeas 58, nays 0.

Yeas—Messrs. Speaker, Adams, Anderson, Arrington, Ben-  
ners, Bevis, Bogart, Bourdeaux, Bush, Blevins, Brown, Clem-  
ents, Cunningham, Dark, Davie, Denson, Dupree, Dykes,  
Fitzpatrick, George, Henderson, Higgins, Hundley, Johnson,  
Kyle, Lay, Ledyard, Lewis, Longshore, Maddox, Maley,  
Miller, Moseley, McElvey, Nelson, Nisbet, Paine, Parker,  
Pitts, Porter, Posey, Powell, Russell, Simmons, Smaw, Smis-  
son, Smith, Stansel, Stowers, Wade, Walker, Watson, Weaver,  
Williams, Winston, Woolf, White of Dallas, and White of  
Geneva—58.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate has concurred in the report of the committee  
of conference on

H. B. 276. To provide for the public printing in this State.

W. L. CLAY,  
Secretary.

#### ENROLLED BILLS.

*Mr. Speaker:*

The committee on enrolled bills report the following cor-  
rectly enrolled :

H. B. 537. To amend section 4035 of the Code of Alabama,  
so far as the same relates to the counties of Lamar, Bibb, Cle-  
burne, Randolph, and Chambers.

H. B. 557. To amend sub-division 6 of section 454 of the  
Code.

H. B. 942. To regulate the collection and payment of solici-  
tor's fees into the State treasury.

H. B. 865. To authorize N. L. Trull to survey and establish  
lines in the county of Fayette.

H. B. 803. To incorporate the Alabama Loan and Bank-  
ing Company of Florence, Alabama.

H. B. 243. For the relief of soldiers maimed or disabled  
during the late war, and the widows of confederate soldiers

whose husbands were killed or died in said war, and who have not since remarried.

H. B. 531. An act to amend section 4035 of the Code.

H. B. 603. To ratify and approve the numbering of the sections of the Code of 1886.

H. B. 479. To amend section 1319 of the Code.

H. B. 276. To provide for the public printing of the State.

B. M. MILLER,  
Chairman of Committee.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing report of committee on enrolled bills.

#### MESSAGE FROM THE GOVERNOR.

CHIEF EXECUTIVE OFFICE,  
MONTGOMERY, ALABAMA,  
February 28th, 1889.

*Mr. Speaker and Gentlemen of the House of Representatives :*

I herewith return without my approval house bill No. 332, which is in words and figures as follows, to-wit :

"An act to amend section 2755 of the Code of Alabama."

Section 1. Be it enacted by the general assembly of Alabama that section 2755 of the Code of Alabama be amended so as to read as follows :

2755 (3110). *When charges must be in writing and made part of the record.*—In all civil and criminal cases the judge must charge the jury in writing if the charge is required to be so given by either party, and notice of such requisition is given after the testimony is closed and before the argument to the jury is commenced ; and whenever the judge desires to comment on the evidence, or upon its weight or sufficiency he shall do so in writing, whether requested to do so or not, and every written charge given hereunder becomes thereby a part of the record in the cause."

The change proposed in this bill is contained in the latter clause, which requires the judge, if he desires to comment on the evidence, or upon its weight or sufficiency, to do so in writing, whether requested to do so or not.

This is a radical change in our law, and is, in my judgment, equivalent to requiring all charges of the judge to be in writing in substantially every case, for it is hard to conceive of a charge of a judge applicable to the facts disclosed without comment on the testimony. One result of this enactment would be to render the administration of the law in the courts below less expeditious, and I have not been able to find any sufficient reason in the interests of justice for this great change.

It will be remembered that under the law as it now stands the court must charge the jury in writing, if the charge is requested to be given by either party after the testimony is closed and before the argument to the jury is commenced.

It seems to me that this provision of the law is sufficient without compelling the judge, if he comments on the testimony, to do so in writing, unless it should be desired by the parties to the suit.

THOS. SEAY.

The house reconsidered the bill—

H. B. 332. To amend section 2755 of the Code of Alabama.

And the question being whether or not the bill should pass, the governor's veto to the contrary notwithstanding—the vote was taken and the bill lost.

Yeas 4, nays 57.

Yeas—Messrs. Speaker, Cunningham, Davie and Fitzpatrick—4.

Nays—Messrs. Adams, Anderson, Arrington, Benners, Bevis, Bogart, Blevins, Brown, Clements, Cochrane, Darby, Dark, Denson, Dupree, Dykes, George, Higgins, Hundley, Johnson, Kyle, Lay, Ledyard, Lee, Lewis, Longshore, Lowe, Maddox, Maley, Moseley, McElvey, McLeod, Nelson, Ne-Smith, Nisbet, Paine, Parker, Patton, Pettus, Pitts, Porter, Posey, Powell, Pratt, Russell, Simmons, Smisson, Smith, Stansel, Stowers, Wade, Walker, Watson, Wiley, Williams, Woolf, White of Dallas, White of Geneva—57.

#### SENATE MESSAGE.

*Mr. Speaker :*

The president of the senate having signed the following bills, your signature thereto is requested :

s. 296. To incorporate the Alabama Synod of the Cumberland Presbyterian Church.

s. 498. To relieve Susan Elder, of Mobile county, from the disabilities of non-age.

s. 188. To amend section 5 of an act entitled an act to incorporate the Lomax Fire Engine Company No. 4, of the city of Montgomery, approved January 30, 1871.

s. 31. To further define and punish the crime of embezzlement.

s. 504. To prevent stock from running at large in a certain portion of beat 8, in Elmore county.

s. 106. To amend section thirteen hundred and ninety-six (1396) of the Code.

s. 415. To incorporate the Alabama Investment and Security company.

s. 305. To permit small balances due employees for wages or services to be disposed of for the benefit of their widows and orphans without administration.

s. 48. To confer certain rights and privileges in the State of Alabama upon the Helena, Tupelo and Decatur Railroad Company, a corporation chartered by the laws of the State of Mississippi, and for other purposes.

s. 357. To amend the quarantine laws of the State.

s. 486. To incorporate the Anniston Loan and Trust company of Anniston, Alabama.

s. 327. To authorize and require the register in chancery, of the chancery district composed of the county of Crenshaw, to act as probate judge in said county, in reference to an executorship, administration, or guardianship, when the probate judge is incompetent under the provisions of section 647 of the Code.

s. 32. To require justices of the peace and other committing magistrates to report all cases of persons held by them on preliminary trial to the grand jury on the second day of each term of the circuit and city courts.

s. 215. To prohibit the sale, giving away, or otherwise disposing of alcoholic, vinous, or malt liquors, or other intoxicating drinks, or fruits preserved in alcoholic liquors, within five miles of Freewill Baptist church, Laodicea church, Hopewell church, Union Grove school house, Fogsett mines and Morris' high school, and in beat seventeen, all in Jefferson county; or within the limits of Barbour county, except in incorporated towns having police regulations, provided the provisions of this act shall not apply to

Hawkinsville beat and Eufaula beat, in Barbour county; or within five miles of any coal or iron ore mine, or coal or iron ore mining camp; within three miles on either side of the Sheffield and Birmingham Railroad, in Walker county; or within three miles of Union Missionary Baptist church, or Bristoe's Creek Missionary Baptist church, all in Etowah county; or within the corporate limits of the town of Moulton, in Lawrence county, or within five miles thereof; or within two miles of Pleasant Valley Baptist church, in Lauderdale county—not to take effect in last named district until January 1, 1890; or within three miles of county line school house in Tallapoosa county, or within three miles of Oak Grove Colored Methodist church, or within three miles of Thaddeus postoffice, or within three miles of Agricola postoffice, all in Tallapoosa county; or within three miles of Salem church, in Lamar county; or within five miles of the Academy in the town of Hillsboro, in Lawrence county, provided that this act shall not be so construed as to prevent regular practicing physicians who have complied with the law regulating the practice of medicine from keeping and administering said liquors when necessary in their actual legitimate practice within the last named district; or within five miles of Union Chapel church, in Pickens county; or within four miles of Mountain mills and Pine Grove churches, in Colbert county; or within five miles of Goose Pond church in Jackson county; or within four miles of Davis Creek church, in Tuscaloosa county; or within two miles of Union Presbyterian church and Pleasant Ridge Baptist church in Dale county; or within the limits of township 17, range six (6) in Perry county, except in the limits of the city of Uniontown, provided that nothing herein contained shall be so construed as to prevent regular licensed physicians from administering any of the above named liquors whenever they deem it necessary in the last named district; or within three miles of Hebron church, or within four miles of Harmony Grove church and Academy, both in Limestone county; nor within four miles of New Ebenezer Baptist church, in Coffee county; or within three (3) miles of Kelley's Creek postoffice, in St. Clair county; within three miles of Corinth church, in Cullman county; or in beat two, in Chambers county; within six miles of Champion, in Blount county; within three miles of Davis Creek church in Favors beat, in Tuscaloosa county; or within beat two, Russell county; provided the provisions

of this act shall not be in force until January 1, 1890, so far as the same applies to beat two, Russell county.

s. 495. To amend sections two (2) and four (4) of an act entitled an act to provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

s. 161. To amend section one of an act to establish a new charter for the town of Cullman, approved February 7th, 1879.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, the titles of which are set out in the foregoing senate message.

CHIEF EXECUTIVE OFFICE,  
February 28, 1889.

*Mr. Speaker:*

The governor has approved the following bills, which originated in the house:

599, 423, 863, 38, 768, 860, 975, 184, 489, 780, 1012, 1027, 306, 973, 866, 991, 842, 544, 987, 1011, 1028, 869, 644, 1004, 892, 676, 738, 949, 595, 419, 1017, 512, 451, 494, 468, 776, 945, 700, 455, 663, 972, 415, 772, 1030, 974, 582, 884, 790, 318, 952, 49, 559, 671, 823, 989, 817, 527, 725, 744, 555, 937, 692, 990, 637, 833, 328, 477, 999, 182, 786, 626, 430, 815, 664, 846, 4, 732, 601, 620, 549, 694, 672, 622, 640, 781, 515, 577, 349, 926, 632, 194, 890, 177, 675, 897, 910, 1034, 302, 192, 245, 963, 785, 636, 565, 648, 851, 868, 554, 826, 23, 508, 462, 29, 481, 276, 243, 557, 864, 386, 682, 721, 803, 865, 942, 603, 537, 479.

THOS. H. CLARK,  
Recording Secretary.

#### RESOLUTIONS.

The following resolutions were offered, by leave, and adopted:

By Mr. McLeod—



*Resolved by the House of Representatives*, That the thanks of this house are hereby tendered to the Mobile Register for its kindness and courtesy in having placed that paper at the service of this house without price.

By Mr. Smith—

*Resolved*, That the thanks of this house are hereby tendered to our efficient and courteous clerk, Benjamin F. Elmore, Esq., and his competent and agreeable assistant, A. H. Carmichael, Esq., each of whom have discharged their respective duties with accuracy, fidelity and promptness, and in so doing have rendered valuable services to the State of Alabama, and to the members of this house.

*Resolved further*, That the thanks of this house are also tendered to the other clerks and assistants, and Mr. Hasson, doorkeeper, and his assistants for the faithful, courteous and efficient manner in which they have discharged their respective duties.

By the committee on engrossed bills—

*Whereas*, The session of the general assembly of 1888-9 is drawing to a close; and,

*Whereas*, We, the members of the house, composing the committee on engrossed bills, appreciating the valuable services of our efficient clerk, Maj. L. C. Ramsey; therefore be it

*Resolved*, That the thanks of this committee are due and hereby tendered for his accurate, painstaking, courteous and cheerful discharge of the duties of his office, thereby greatly facilitating the business of the house, and saving much labor to the committee, which would otherwise have devolved upon us.

JOHN V. SMITH, Chairman.  
R. L. BRADLEY,  
SAM'L HENDERSON, JR.,  
O. P. DARK,  
M. V. MALEY,  
W. B. DARBY,  
A. J. ARRINGTON.

By Mr. Lay—

*Resolved by the House* (the Senate concurring), That a committee of three from the house and three from the senate be appointed to wait upon the governor and ascertain if he has any further communication for the consideration of this general assembly.

Committee on part of the house—Messrs. Lay, McLeod, and Paine.

## MESSAGE FROM THE SENATE.

*Mr. Speaker:*

The senate concurs in the house joint resolution relative to waiting on the governor.

Committee on the part of the senate—Messrs. Waddell, Handley, and Haralson.

W. L. CLAY,  
Secretary.

## REPORTS FROM JOINT COMMITTEE.

Mr. Lay, from the joint committee appointed to ascertain whether or not the governor had any further communication to make to the general assembly, reported that the committee had discharged their duty, and that his excellency had no further communication to make,

The journal of to-day was read and approved.

Thereupon, the speaker made the following remarks:

*Gentlemen of the House of Representatives:*

The legislative session has drawn to a close by constitutional limitation. Your duties here are ended. Your actions as law makers have become a part of our public history. The results of your labors are to be tried by the analysis of the future and the criticism of practical application. You have exhibited commendable fidelity to the interests of your constituents and have been actuated by lofty sentiments of patriotism for the general welfare of Alabama.

We may have committed mistakes in our zeal to advance the prosperity of the country, and may have misinterpreted in some instances, the wishes of our constituency. If such was the case, the results were errors of the judgment and not the consequences of intended wrong. No man can arrogate to himself immaculateness, neither can the legislator shield himself from criticism, nor hope to be free from the commission of mistakes in the discharge of his responsible duties. You have been faithful to your trust and honest in the expressions of your convictions. I have observed with pleasure, that you have been influenced only by the earnest desire to promote the advancement of our State's prosperity, to develop her resources, educate her children and preserve inviolate her financial integrity, and not by attempting the enactment of shrewd legislation and the

pursuit of methods appealing to prejudice, to establish a false predicate for unworthy ambition. You have worked with an application unsurpassed by the record of any house of representatives in my recollection. Your reward must be in the approval of your constituency and in the consciousness of duty well and honestly performed. You are about to return to your homes to resume your usual vocations in solving the problem of life. I hope that you may find your families and those that are dear to you in the enjoyment of health. You have my heartfelt prayer for the blessings of this life and the joys of a happy immortality.

In conferring upon me the honor of the speakership of this distinguished body, you awoke within me feelings of the deepest gratitude. This confidence affects me most sensibly. I have tried to do my duty, oftentimes, as you well know, under embarrassing circumstances. I acknowledge my sincere thanks for the uniform courtesy shown to me by this house, and shall always cherish for each member sentiments of warm affection. Your friendship and confidence have bound me to you with indissoluble links of a golden chain. I shall always remember with feelings of emotion, the pleasant memories of this session, and nothing shall ever efface them from the tablets of my heart.

"You may break, you may shatter the vase, if you will,  
But the scent of the rose will hang round it still."

Pursuant to constitutional requirements, I declare this house adjourned *sine die*.

The hour of 12 o'clock, P. M. having arrived, and the session having expired by constitutional limitation, the Speaker declared the house adjourned *sine die*.

C. C. SHORTER,  
Speaker of the House.

Attest:

BENJ. F. ELMORE,  
Clerk of the House.

[The following report of Hon. John H. Caldwell, should have been printed on page 361, immediately after the Governor's message, relating to same:]

*To His Excellency,*

THOMAS SEAY,

Governor of Alabama,

Montgomery, Ala.

SIR:—I have the honor to submit the following report, showing results of efforts on behalf of the State of Alabama, in the prosecution and settlement of claims of said State against the general government:

Referring to a report made by me to your predecessor, which is on file in your office, the work on behalf of the State was actively begun in January, 1885. The efforts of the agency at that time were directed to the recovery of what was due the State from the swamp land grants, including indemnity scrip for swamp lands sold by the government after said grant. Such was the magnitude of the work, and so limited the clerical force in the department at that time, that it was more than a year before final action was taken on any part of the work, but in May, 1886, twenty thousand and nine and 36-100 (20,000.36-100) acres of swamp land indemnity scrip was certified to the State, and, in September, 1886, the secretary of the interior approved and certified to the State a list containing thirteen thousand eight hundred and seventy-five and 55-100 (13,875.55-100) acres of swamp lands in place.

Upon the records of the swamp land division are to be found about thirty-five thousand (35,000) acres, which have been designated as "swamp," which were sold for cash between the years 1850 and 1857, for which the State is fairly entitled to indemnity; but the treasury department had, for many years, refused to pay anything to States that had not paid the war-tax of 1861. The same ruling was made by the department with reference to the 5 per cent. due the State on account of the sales of public lands. The records of the government showed that Alabama was entitled to \$18,285.03 from the 5 per cent. fund on sale of public land, but on the debtor side of the account stood the formidable amount of \$529,313.33 leaving the State largely in debt to the government. Under this state of facts no adjustment was at that time had.

Those interested, who had examined the subject, thought

the rulings of the officers of the department were arbitrary and unjust, and therefore made an effort to relieve Alabama and other States in like condition from the embarrassed position in which they were placed by the rulings referred to, and invoked the aid of congress, and asked the passage of the following bill :

“A BILL

To adjust the claims of the State against the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the secretary and comptrollers of the treasury department be, and are hereby directed and required to adjust and settle the account of any State demanding a settlement against the United States, and pay over to such States the balance, if any, found due to it, out of any money in the treasury not otherwise appropriated. In such settlement and adjustment no charge shall be made, or, if made, shall be valid, by way of offset or otherwise, against any State, on account of the direct war-tax laid by Congress by an act approved August 5, 1861.”

This effort was fruitless. Congress would not, or at least did not, do anything in that direction. Hon. Van H. Manning, residing in Washington, whom I had employed and associated with me in the prosecution of the State's claims against the United States, instituted proceedings in mandamus against the first comptroller of the treasury to prevent the further covering into the treasury such funds as we were seeking to recover from the government. This proceeding resulted adversely, and we were driven into a direct suit with the government.

Upon consultation, as agent for the State of Alabama, I authorized Mr. Manning to bring suit in the court of claims for the \$18,285.03 due the State from the 5 per cent. fund. He associated with himself Hon. J. B. Edmonds, of Washington, D. C., and suit was instituted to recover the above mentioned amount.

Counsel for the State were met with the grave question of jurisdiction. It was argued orally and by brief, and strongly resisted by assistant attorney-general, but after argument and due consideration the court assumed jurisdiction, and Alabama was heard to assert her claim in the courts of the country.

This contention, as you have learned from what has been before stated, grew out of the refusal of the officers of the

treasury department to pay to the State of Alabama the 5 per cent. net proceeds of the sale of public lands in the State of Alabama, the general government claiming to set-off the demands of the State with the unpaid war-tax levied by act of congress in 1861.

Upon the trial of said case a decision was rendered by the court, favorable to the State, for the amount claimed, \$18,285.03. From this judgment of the court of claims, the government appealed to the supreme court; the law officers of the government were active and vigorous in resisting said suit, but after a hearing before the supreme court of the United States, the judgment of the court of claims was affirmed, and the rights of Alabama were secured to her. Supreme court decision 123, p. 73, on the 24th of October, 1887.

As a result of the suit just mentioned, there was paid to the State \$18,285.03, and for the fiscal year ending June 30, 1887, \$17,240.21 was paid to the State, the same being the 5 per cent. net proceeds of sales of public lands for that year.

The 5 per cent. account for the year ending June 30, 1888, will be stated, as I am assured, in a few weeks, and the amount will approximate \$10,000.

Thus, it will be seen that the State has realized, or will in a few weeks, as the fruits of the above stated suit, the sum of \$44,525.24, less commissions allowed for collection, all of which amounts, had there been no suit brought, would have been covered into the United States treasury, whose vaults never open except at the bidding of congress.

This is illustrated by the fact, that the sums due the State of \$1,694.08 on account of the 2 per cent. fund from July 1, 1884, to June 30, 1886, and \$2,541.13 for the same period on account of 3 per cent. fund, aggregating \$4,235.21, were covered into the treasury pending the said suit, and all efforts thus far have been unavailing to overcome opposition in congress to an appropriation of said sum. In my judgment, the opposition in the house before it would consent to make an appropriation to pay this claim which the courts have said was lawful to be paid, would demand the passage of a bill refunding and reimbursing the northern States for all the war-tax they paid, aggregating about fifteen millions.

Since the issuance of swamp land indemnity scrip (20,009.36 acres) before mentioned, the claim of the State of Alabama to cash indemnity for lands sold for cash between 1850 and 1857, and which are designated as "swamp," has been asserted, but on the 24th day of May, 1888, the honorable commissioner of



the general land office, made a decision in which he holds for rejection said claims of the State. From this decision I have appealed, and the question is now before the secretary.

The only other claim of the State now pending is its school indemnity claim for lands in place of the sixteenth section, lost by reason of private claims, pre-emptions, Indian claims, or where the sixteenth section is wanting or deficient by reason of State boundaries, rivers, etc.

When the work of settling this claim was undertaken, the department held that the State could only select as school indemnity the \$1.25 lands in the southern portion of our State.

Anxious to secure the most valuable lands possible to satisfy this claim, a careful examination of all the laws and decisions bearing on the subject was made, and we became convinced that the State had a right to select even mineral lands in any portion of the State. To this end I made a test case, by selecting and listing in the land office at Montgomery, Alabama, the northwest quarter of northeast quarter, section 28, township 17, range 1 west, for the State of Alabama, on account of deficiency in school lands. The general land office at Washington rejected the selection. An appeal was immediately taken in the matter to the secretary of the interior, and after a long time, and patient labor, arguing and re-arguing the case, orally and by brief, in the effort to overcome adverse decisions, from time to time, made by the law officers of the department, the secretary himself finally heard the arguments presented by counsel, and decided the case favorably for the State.

About 30,000 acres have been selected with great labor and much expense. Last winter, the undersigned, in company with Dr. S. L. Crissey, of Washington, an attorney and expert in land matters, spent about two months visiting the mineral and coal regions in Alabama, making as careful examination of the coal fields in Jefferson, Walker, Tuscaloosa, Bibb, and Jackson counties, as well as could be without the use of pick and drib, drawing from all possible sources whatever information could be obtained with reference to mineral lands and employing as occasion demands guides and experts in prospecting. In this connection I beg to say, that from no source did we receive more valuable assistance than from Hon. A. C. Hargrove, of Tuscaloosa, and Dr. Smith, and Maj. McCalla, of the University of Alabama, whose kindness, courtesy and alacrity in imparting information desired, were only equalled by their great knowledge and familiarity with matters which we had in hand. As an evidence of our appreciation of their

aid, the selections made were mainly in the line of their suggestions.

Possibly it is fair to presume that the best coal and iron lands have long since been entered, but I feel very sure that the tracts selected for the State will, in time, prove to be much more valuable than mere timber or agricultural lands.

Having had lists prepared and filed in the local land offices, I supposed they would be forwarded to the general land office, and would be certified to the State in time for me to report to you before the meeting of the general assembly, that our work on this claim was ended; but I was notified in October by the local officers in Alabama that the Hon. Commissioner of the general land office had ordered a suspension of action on lists of school indemnity lands, filed in their respective offices, till further orders. This delay was caused by the passage of a joint resolution by congress, holding all public lands in Alabama as subject to homestead entry only, which was so construed as to bar our selection of mineral lands. This question was argued before the commissioner of the general land office, repeatedly, when finally, after more deliberate consideration, a decision favorable to the State was rendered. Now, that this order of suspension has been modified, and the entrance fees have been paid, it is probable the lists will be soon certified to the State.

The area first estimated as due the State, as school indemnity was 18 or 30,000 acres. Upon further search it was found that four townships set apart by congress for the "cultivation of the vine and the olive," had not had their quota of school lands. The claim was made for them, and recently a decision has been rendered in favor of the State.

The condition of the school lands in the Chickasaw reserve, in the north-west portion of the State has been taken up and carefully examined. Some four acts of congress have been passed on this subject, and two selections have been made of about 12,000 acres each, one in Louisiana and one in Arkansas, but with two exceptions, the rights of the towns have gone by default, and the selections have been cancelled.

The right of the State to indemnity was set up under the enabling act for Alabama, of March 2d, 1817, and the claim has been approved by the Secretary of the Interior, as presented. In the absence of briefs filed by counsel both for claimant and the government, an intelligent appreciation of the contention evoked by the claim, can best be had by reading the favorable decision of the secretary printed in the 6th vol. Departmental Decisions, p. 493.

This claim has slumbered for seventy years in a neglected and forgotten grave—has been resurrected and vigorously pressed step by step to a “consummation devoutly” to be hailed. It is confidently to be hoped the area due the State has been increased 30,000 acres, and other few thousand more will probably be added.

## SUMMARY.

The result of labors to date is as follows :

20,009.36 acres of swamp land scrip locatable in any of the offered government lands in the State.

13,875.53 acres of swamp lands in place patented to the State, as against not an acre of land scrip issued, or an acre patented to the State in thirty years before.

\$35,525.24, (\$33,119.90 net), paid to the State, and about \$10,000 additional that will be paid in a few weeks, and about 30,000 acres of school indemnity lands selected.

These results came not by the free grace of the government; they came not at the mere bidding upon the demand of an account stated; they were born of the inviolability of contracts, and come through the labor and conflict of unusual litigation. Every dollar of the money collected for the State of Alabama has been paid over, in the language of the official communications from the treasury department, “pursuant to the decision of the Supreme Court of the United States.”

In submitting this report I cannot fail to express my obligations for valuable assistance, to Hon. Van H. Manning, and J. B. Edmond, and Dr. S. L. Crissey, whom I have had associated with me in the prosecution of these claims, each of whom has done his part with fidelity, and with signal ability.

I have the honor to be

Very truly your obedient servant,

JNO. H. CALDWELL,

Agent for the State of Alabama.

Statement of condition of two per cent. and three per cent. funds, sales of public lands, of the State of Alabama, from last payment in 1860, to date, as shown by the books of the Register of the Treasury.

## TWO PER CENT. FUND.

## Dr.

Oct. 17, 1860.	Payment.....	\$ 2,882 99
May 8, 1879.	Payment.....	3,123 77

Dec. 9, 1882.	Payment.....	3,396 58
June 27, 1884.	Payment.....	3,917 43
Jan. 25, 1887.	Payment.....	1,694 08
Nov. 19, 1887.	Payment.....	6,896 08
Feb. 18, 1888.	Payment.....	3,179 26
Total.....		\$25,090 19

## CR.

Oct. 15, 1860.	Report 16,047.....	\$ 2,882 99
May 5, 1879.	Report 29,747.....	3,123 77
Nov. 29, 1882.	Report 33,285.....	3,396 58
June 25, 1884.	Report 35,464.....	3,917 43
Jan. 19, 1887.	Report 40,267.....	4,873 34
Nov. 18, 1887.	Report 41,937.....	6,896 08
Total.....		\$25,090 19

## THREE PER CENT FUND.

## DR.

Oct. 17, 1860.	Payment.....	\$ 4,324 49
May 8, 1879.	Payment.....	4,685 65
Dec. 9, 1882.	Payment.....	5,094 88
June 27, 1884.	Payment.....	5,876 14
Jan. 25, 1887.	Payment.....	2,541 13
Nov. 19, 1887.	Payment.....	10,344 13
Feb. 10, 1888.	Payment.....	4,768 89
Total.....		\$37,635 31

## CR.

Oct. 15, 1860.	Report 16,048.....	\$ 4,324 49
May 5, 1879.	Report 29,748.....	4,685 65
Nov. 29, 1882.	Report 33,286.....	5,094 88
June 25, 1884.	Report 35,465.....	5,876 14
Jan. 19, 1887.	Report 40,268.....	7,310 02
Nov. 18, 1887.	Report 41,938.....	10,344 13
Total.....		\$37,635 31

## RECAPITULATION.

Two per cent. fund.....	\$25,090 19
Three per cent. fund.....	37,635 31
Total.....	<u>\$62,725 50</u>

[Copy]

TREASURY DEPARTMENT,  
REGISTER'S OFFICE,  
December 19, 1888.  
W. S. ROSENCRANS,  
Register.

## TWO PER CENT. FUND.

Paid to State.....	\$ 2,882 99
“.....	3,123 77
“.....	6,896 08
“.....	3,179 26

Total.....\$16,082 10

Paid to Direct Tax Account.....	\$ 3,396 58
“.....	3,917 43
“.....	1,694 08

Total.....\$ 9,008 09

## THREE PER CENT. FUND.

Paid to State.....	\$ 4,324 49
“.....	4,685 65
“.....	10,344 13
“.....	4,768 89

Total.....\$24,123 16

Paid to Direct Tax Account.....	\$ 5,094 88
“.....	5,876 14
“.....	2,541 13

Total.....\$13,512 15

## RECAPITULATION.

Paid to State,—two per cent.....	\$16,082 10
“..... three per cent.....	24,123 16—\$40,205 26

Paid to Direct Tax,—two per cent. ....	\$ 9,008 09
“ “ three per cent. ...	13,512 15—\$22,520 24
Total .....	\$ 62,725 50

W. S. ROSENCRANS,  
Register.

Treasury Department,  
Register's Office, Dec. 21st, 1888.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., January 2, 1889. }

Statement of the net proceeds from sales of public lands in the State of Alabama, from July 1st to October 24th, inclusive, 1887, and amount due said State, under act of congress, March 2d, 1819, and 17th section of act, September 4th, 1841:

Two per cent. on \$92,581.88, net am't received as purchase money for lands sold in said State, from July 1st to September 30th, 1887 ..... \$ 1,851 64

Two per cent. on \$4,558.21, net am't received as purchase money for lands sold in said State, from Oct. 1st to Oct. 24th, inclusive, '87..... 91 16  
97,140.00 at 2 per cent., \$1,942.80.

Three per cent. on \$92,581.88, net am't received as purchase money for lands sold in said State, from July 1st to Sept. 30th, '87... .. 2,777 46

Three per cent. on \$4,558.21, net am't received as purchase money for lands sold in said State, from Oct. 1st to 24th, inclusive, '87..... 136 75

97,140.08 at 3 per cent., \$2,914.21.

Total am't due State of Alabama from July 1 to October 14th, 1887.....\$ 4,857 01

Supplemental to the foregoing general report, I beg leave to add as an appendix the following statement, showing, in detail, what was due the State of Alabama from the general government, on account of the 5 per cent. fund from last payment in 1860 to closing of land offices in Alabama.



Also, statement of what was due from same source, from the opening of land offices after the war up to, and since the commencement of suit by me for the recovery of said fund, which had been so long withheld by the general government. Also, statement of said fund accruing and due the State from the commencement of said suit to date, and amount due the State since the termination of said suit.

The amount due the State of Alabama arising from the 5 per cent. fund, or more commonly known as the 2 and 3 per cent. funds, from the last payment in 1860 to closing of the land offices at the beginning of the war, was eight thousand, sixty-two and 44-100.....\$ 8,062 44

Which accrued as follows :

From sales of public lands from Jan. 1st, 1860, to

Dec. 31st, 1860—

of the 2 per cent. fund .....	\$ 3,123 77
of the 3 per cent. fund.....	4,685 65

Total.....	\$ 7,809 42
------------	-------------

From sales of public lands in the several land offices, from Jan. 1st, 1861, to date of closing same,—total cash received at:

St. Stephens, closed in January, '61.....	\$ 35 00
Greenville.....	00 00
Montgomery, closed in January, '61.....	361 10
Huntsville, " February, '61.....	859 92
Tuscaloosa, " March, '61.....	651 07
Elba, " February, '61.....	1,304 86
Demopolis,.....	00 00
Centre, closed in March, '61.....	1,951 82

Total am't collected up to closing land offices.	\$ 5,163 77
--	-------------

Deduct 2 per cent., government expenses.....	103 27
--	--------

Net proceeds.....	\$5,060 50
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Five per cent. net proceeds on last named amount, is.....	\$ 253 02
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Amount due from Jan. 1st, 1860, to Dec. 31st, as stated above.....	7,809 42
--	----------

Making am't due at beginning of the war, as before stated...	\$ 8,062 44
--	-------------

Of the last named amount, there was paid over to the

State through Gov. Cobb, (prior to date of my contract) as shown by Auditor's books, May 8th, 1879 .....\$7,809 42

And the balance (\$253.02) is embraced in the statement of account made by the government in 1881, it being of 5 per cent. account from 1861 to 1881, inclusive--

of 3 per cent. fund.....\$5,094 88

of 2 per cent. fund..... 3,396 56

Total..... \$ 8,491 44

And is a part of the amount embraced in the suit against the government brought by me.

From the opening of the land offices after the war up to the commencement of said suit, there was due the State the following amounts from said funds :

From sales from close of war to 1881—

	of 2	per cent. fund.....	\$ 3,295 37
	3	" .....	4,943 07
During year 1881-2	2	" .....	1,836 59
" "	3	" .....	2,754 89
" 1882-3	3	" .....	3,121 25
" "	2	" .....	2,080 84
" 1883-4	2	" .....	3,179 26
" "	3	" .....	4,763 89
" 1884-5	3	" .....	1,236 47
" "	2	" .....	824 31
" 1885-6	2	" .....	869 77
" "	3	" .....	1,304 66

Amount due at beginning of suit, accrued after the war.....\$ 30,210 37

The amount of \$253.02 from Jan. 1, 1861, to closing land offices, is included in the first two items at top of page.

Of the last amounts named, there had been covered into the U. S. Treasury on account of "direct war tax" at the date the suit was instituted, viz: 18th January, 1887, \$18,285.03, the amount sued for, the balance of the amount not being stated at that time.

From the time the suit was instituted to the termination thereof, there had accrued the following amounts:

On sales for '86 and '87 3 per cent. fund .....\$ 10,344 13

On sales for '86 and '87 2 per cent. fund..... 6,896 08

From July 1, 1887 to October 24, 1887, the date said suit terminated by affirmance of Supreme Court of United States, of 2 per cent. fund...	1,942 80
of 3 per cent. fund...	2,914 21
	<hr/>
	\$ 22,097 22

Of this last sum the two items, \$10,344.13 and \$6,896.08, were paid to the governor on the 19 November, 1887, as per letter of transmission on file in executive department.....	\$ 17,240 21
Leaving the other two items, \$1,948.80 and \$2,914.21, which accrued from July 1, to October 24, 1887, the date suit was terminated, not paid but available .....	4,857 01
Amount due from sales from October 24, '87 to June 30, 1888, not paid but available....	8,270 84
	<hr/>
	\$ 13,127 85

Which amount will soon be transmitted to the State from the department at Washington in due course of business.

I have the honor to state further, that while the suit was pending, I requested that no additional amounts be covered into the treasury on account of the "direct war tax;" but the following amounts (as per letter from treasury department now on file in executive department of the State) were through inadvertence covered into the treasury on the 25th day of January, 1887, viz:

Of 2 per cent. fund.....	\$1,64 08
3 " " " .....	2,541 13
	<hr/>
	\$4,235 21

to obtain which, a suit must be instituted or special act of congress passed. Effort is now being made to procure it through the latter method.

### RECAPITULATION.

Amount of 5 per cent. from 1860 to 1861 . . . . .	\$	7,809	42
“ “ “ “ “ “ 1861, commence-			
ment war . . . . .		253	02
Amount of 5 per cent. from close of war to suit,		30,210	37
Beginning of suit to close, . . . . .		22,097	22
Since termination of suit . . . . .		8,270	84

Interest on \$18,285.83, amount recovered in suit, from date of judgment to payment, at 5 per cent.....	756 45
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\$ 69,397 32
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Credit the above by the following:

By amount paid Governor Cobb,  
May 8, 1879, before my contract  
began .....

\$ 7,809 42

Amount covered into treasury....

4,235 21

Amount 5 per cent. for '87 and '88, 13,127 85—\$ 25,172 48

This balance gives the amount of  
the 5 per cent. fund collected dur-  
ing and under my contract, viz:..

\$ 44,224 84

By commission.....

11,056 21

\$ 33,168 63

Amount paid in treasury of the  
State, as shown by books of aud-  
itor .....

\$ 33,119 90

I assume that exchange was paid in  
cashing drafts .....

48 73—\$ 33,168 63

It will be observed under the foregoing statement, that of  
the 5 per cent. fund, for the fiscal year ending June 30, 1888,  
there is yet due and unpaid.....\$ 13,127 85

Of this amount, there accrued be-  
fore the termination of the suit in  
the Supreme Court, October 24,  
1887.....

\$4,857 00

After said date there accrued from  
said 5 per cent. fund.....

8,270 84—\$ 13,127 85

Commissions on the item of \$4,-  
857.01, the other item \$8,270.84,  
accruing after termination of suit,

1,214 25

To be paid in, net balance.....

\$ 11,913 60

Amount heretofore paid in treasury, \$33,119 90

Amount to be paid soon .....

\$45,033 50

Net amount as result of suit, not  
including the \$4,235.21 covered

into U. S. Treasury.....\$ 45,033 50

I hereto attach as exhibit "A," 1 and 2, statement of the condition of 2 and 3 per cent. funds sale of public lands of the State of Alabama, as shown by the books of U. S. Treasury from last payment in 1860 to date of statement, showing whether same was paid direct to State or credited on "direct war tax."

Also, exhibit "B," statement from the commissioner of general land office, showing the amounts of the 2 and 3 per cent. funds from July 1, beginning with the fiscal year to October 24, 1887, inclusive.

I have the honor to be, very respectfully,

JNO. H. CALDWELL,  
State Agent.

# HOUSE REGISTER,

*Showing the action of the House on the House and Senate bills and joint resolutions (in nature of bills), and the days when considered—Session of 1888-9.*

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By Mr. Denson—

- H. 1. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Chambers county, and to regulate the proceedings therein, approved February 26, 1887, and to provide for the disposition of certain cases now pending in the county court of Chambers county.

November 16, read first, referred to judiciary. November 17, reported favorably, read second. November 19, read third, passed. November 21, engrossed. December 1, enrolled and signed. December 4, approved.

- H. 2. To regulate the time of holding the circuit court in the fifth judicial circuit of Alabama.

November 16, read first, referred to judiciary. November 17, reported favorably, read second. November 19, read third, passed. December 7, enrolled and signed. December 8, approved.

By Mr. Rattray—

- H. 3. To repeal an act entitled an act to charter a ferry across Coosa river at or near Cedar Bluff in Cherokee county, approved February 18, 1887.

November 16, read first, referred to local legislation. November 17, favorably reported, read second. November 19, read third, passed. February 15, signed. February 21, approved.

- H. 4. Authorizing the payment of fines and forfeitures with certain claims in Cherokee county.

November 16, read first, referred to revision of laws. November 21, reported favorably, read second time. November 27, read third, passed. November 28, engrossed. February 8, enrolled, signed and approved.



By Mr. McLeod—

- Н. 5. To form a separate school district, to be known as the Salitpa school district, in Clarke county, Alabama.

November 16, read first, referred to education. November 20, favorably reported, read second. November 24, read third and passed. November 26, engrossed. December 3, enrolled and signed. December 4, approved.

By Mr. Nelson—

- Н. 6. To amend section four of "an act to prevent stock from running at large in the several beats in Tallapoosa and Coosa counties, and to authorize an election thereon," approved February 26, 1887, so that it shall not apply to resident citizens of Clay county, Alabama, nor to stock belonging to resident citizens of said county.

November 16, read first, referred to local legislation. November 17, favorably, with amendment, read second. November 19, special order for 20th, after reading of journal. November 20, amended, read third and passed. November 21, engrossed. December 7, concurred in conference report on amendment. December 8, enrolled and signed. December 11, approved.

- Н. 7. To provide for the election of the county superintendent of education by the qualified voters of Clay county, Alabama.

November 16, read first, referred to revision of laws. November 22, returned and referred to education. February 5, adverse.

By Mr. Simmons (with notice and proof,)

- Н. 8. To authorize Nancy Hawkins, widow of James B. Hawkins, deceased, late of Coffee county, to sell certain lands lying and being in said county.

November 16, read first, referred to judiciary. November 24, adverse report. November 26, taken from adverse report, read second. December 8, read third and passed. December 11, engrossed. February 12, enrolled and signed. February 19, approved.

- Н. 9. To authorize Mrs. Frances Churchwell, widow of David Churchwell, deceased, late of Coffee

county, to sell the lot on which they were living at the time of his death, with three vacant lots in the town of Elba, Alabama.

November 16, read first, referred to judiciary.  
November 19, adverse.

By Mr. Summers—

H. 10. To amend the charter of the Sheffield & Tusculum Street Railway Company.

November 16, read first, referred to corporations. November 30, adverse report.

By Mr. Hardy—

H. 11. To repeal an act entitled an act to provide for the more efficient working of the public roads in Dallas county.

November 16, read first, referred to public roads and highways. November 22, favorable report, read second. December 1, read third, passed. December 3, engrossed. December 12, enrolled, signed and approved.

By Mr. White of Dallas—

H. 12. To amend section 4451 of the Code.

November 16, read first, referred to judiciary.  
November 21, adverse report.

(By request and with petition—)

H. 13. To provide for funding and paying the legal debts of the city of Selma, created prior to December 6th, 1875.

November 16, read first, referred judiciary. November 21, favorably with substitute, read second. November 21, special order to-morrow. November 22, substitute adopted, read third and passed. November 23, engrossed. December 3, enrolled and signed. December 8, approved.

By Mr. Pettus—

H. 14. For the relief of purchasers of swamp and overflowed lands, or lands in lieu of the same, which have been or may be hereafter patented to this State.

November 16, read first, referred to judiciary. November 17, favorably with amendment, read second. November 19, amendment adopted, read third, passed, sent senate unengrossed. November 22, enrolled, signed. November 26, approved.

(With notice and proof—)

H. 15. To amend and ratify the charter of the Selma Land, Improvement and Furnace Company.

November 16, read first, referred to judiciary. November 17, favorable report, read second. November 19, read third, passed, sent senate unengrossed. November 23, enrolled and signed. November 26, approved.

By Mr. Parker—

H. 16. To repeal an act entitled "an act to regulate the trials of misdemeanors in the county of Elmore, approved February 24, 1887," and to provide for the disposition of certain cases now pending in the county court of Elmore county.

November 16, read first, referred to revision of laws. November 19, favorably, read second. November 20, read third, passed, sent senate unengrossed. November 24, enrolled, signed. November 28, approved.

By Mr. Wade—

H. 17. To incorporate the Nockalula Female Seminary in the city of Gadsden, Ala.

November 16, read first, referred to education. February 11, favorable, read second.

By Mr. Ward—

H. 18. To authorize the county of Henry to borrow money and issue bonds for the purpose of building a court house and jail for the use of said county, at Abbeville, Ala.

November 16, read first, referred to local legislation. November 17, favorably reported, read second. November 19, amended, read third, passed. November 20, engrossed. November 24, enrolled, signed. November 28, approved.

By Mr. Bogart—

- H. 19. To repeal an act entitled an act to authorize an election to prohibit the sale, giving away or otherwise disposing of, for gain, spirituous, vinous or malt liquors, or intoxicating bitters, and the manufacture thereof in the county of Jackson.

November 16, read first, referred to privileges and elections. November 20, favorably, read second. November 24, read third, passed. November 26, engrossed. December 4, enrolled, signed. December 5, approved.

By Mr. Porter—

- H. 20. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors in all places in this State, except in incorporated towns and cities having police regulation.

November 17, read first, referred to temperance. November 21, favorably, read second. January 30, amended, read third, passed. January 31, reconsidered, amended, read third, passed. February 1, reconsidered, read third, passed. February 2, engrossed. February 9, non-concurred in senate amendments and asked for committee conference. February 11, senate amendments concurred in. February 12, signed. February 16, approved.

- H. 21. To authorize the separate redemption of distinct parcels of land sold for taxes under one decree.

November 17, read first, referred to judiciary. November 20, favorably, read second. November 23, read third, passed. November 24, engrossed. December 4, enrolled, signed. December 8, approved.

- H. 22. To expedite the trial of capital cases in Jefferson county.

November 17, read first, referred to judiciary. November 24, read second. December 10, amended, read third, passed. February 8, signed. February 11, approved.

(By request, with notice and proof—)

- H. 23. To confirm, amend and enlarge the charter of the DeBardeleben Coal and Iron Company.

November 17, read first, referred to corporations. February 1, favorably with amendment, read second. February 2, amendment adopted, read third, passed. February 28, enrolled, signed, approved.

(By request, with notice and proof—)

- H. 24. To confirm, amend and enlarge the charter of the Bessmer Iron and Steel Company.

November 17, read first, referred to corporations. February 1, reported favorably, read second.

- H. 25. To amend section 3027 of the Code of Alabama.

November 17, read first, revision of laws. November 21, favorably, read second. November 27, read the third, passed. February 21, concurred in senate amendment. February 23, enrolled and signed. February 28, approved.

By Mr. Lowe, (by request)—

- H. 26. To authorize the mayor and aldermen of Birmingham to issue bonds of said city for an amount not exceeding three hundred thousand dollars, for the purpose of building and constructing sewers and making other permanent improvements in said city, paying floating debt of city, and paying for cemetery grounds.

November 17, read first, referred to corporations. November 21, favorably, read second, January 30, read third, passed. February 4, signed. Approved February 6.

- H. 27. To amend subdivisions 17 and 18 of section 96 and subdivision 8 of section 120 of the Code of Alabama.

November 17, read first, referred to ways and means. November 26, read second. February 15, read 3, passed. February 26, enrolled and signed. February 28, approved.

- H. 28. To provide for the increasing of the capital stock of building and loan associations.

November 17, read first, referred to corporations. November 23, favorably, read second. December 10, read third, passed. February 2, house

concurred in senate amendment. February 4, signed. February 6, approved.

(By request, with notice and proof)—

- H. 29. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company.

November 17, read first, referred to corporations. February 1, reported favorably, read second. February 28, enrolled and signed. February 28, approved.

- H. 30. To confirm, amend and enlarge the charter of the Magnetic Ore Company.

November 17, read first, to corporations. February 1, reported favorably, read second.

By Mr. McRee—

- H. 31. To allow justices of the peace and notary public ex-officio justices of the peace, with powers of justices of the peace, in Lowndes county, to sentence to hard labor for the county, persons convicted in their respective courts for the costs accruing in said courts.

November 17, read first, referred to revision of laws. November 19, favorably, read second. Tabled November 20.

- H. 32. To fix the salary and the tenure of office of the health officer of Lowndes county.

November 17, read first, referred to fees and salaries. November 20, favorably, read second. November 20, recommitted to fees and salaries.

- H. 33. To render inoperative the law commonly known as the "stock law," in the town of Lowndesboro, Lowndes county.

November 17, read first, referred to local legislation. November 19, favorably, read second. November 20, read third and passed.

By Mr. Paine—

- H. 34. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Macon, and to provide for the transfer of certain cases pending and undisposed of to the circuit court.

November 17, read first, referred to revision of laws. November 19, favorably, read second. November 20, read third, passed. November 24, enrolled, signed. December 1, approved.



- H. 35. For the relief of parties whose lands were sold for taxes and purchased by the State, prior to the first day of January, 1887.

November 17, read first, judiciary. November 22, returned, ways and means. November 23, adverse report. December 7, called up, read second. February 8, read third, passed. February 25, concurred senate amendment. February 26, enrolled and signed. February 28, approved.

- H. 36. To amend section 750 of the Code of Alabama, prescribing time of opening circuit courts.

November 17, read first, revision of laws. November 19, favorably, read second. November 20, amended, read third and passed. November 28, signed.

- H. 37. To amend section 2732 of the Code of Alabama, prescribing the time for pleading.

November 17, read first, judiciary. November 22, favorably substitute, read second. December 7, amended, read third and passed. February 15, enrolled and signed. February 21, approved.

By Mr. Hampton—

- H. 38. To establish a branch agricultural experimental station and branch agricultural school in north Alabama.

November 17, read first, agriculture. November 23, reported favorably, read second. February 8, tabled. February 8, taken from table, agriculture. February 14, reported favorably, read second. February 15, agriculture. February 18, reported favorably, substitute, read second. February 19, amended, read third, passed. February 28, enrolled and signed. February 28, approved.

By Mr. Hundley—

- H. 39. For the relief of E. C. Betts, former commissioner of agriculture.

November 17, read first, agriculture. November 20, adverse report.

- H. 40. To punish all persons or corporations who enter into any arrangements, contracts, agreements

trust or combinations with a view, or which tends to prevent full and free competition in the production, manufacture or sale of articles, goods, wares or merchandise of any description, and which is designed or tends to advance the cost to the consumer of such articles, goods, wares or merchandise.

November 17, read first, judiciary. November 27, adverse report.

- н. 41. To exempt peddlers of poultry, fruit and all farm produce from the payment of State and county license.

November 17, read first, referred to ways and means. November 23, adverse report.

- н. 42. To exempt from taxation one horse or one mule to be selected by the head of each family.

November 17, read first, referred to ways and means. November 23, adverse report.

- н. 43. To authorize Madison county to purchase any or all of the turnpikes or macadamized roads in said county and to issue bonds in payment thereof, and also to authorize the owner of any such turnpike or macadamized road to make sale thereof to said county.

November 17, read first, referred to judiciary.

- н. 44. To fix the time and place of holding the circuit courts in the several counties of the eighth judicial circuit of the State of Alabama.

November 17, read first, referred to judiciary. November 20, favorably, read second. November 21, read third, passed.

- н. 45. To incorporate the farmers' alliance exchange of Alabama.

November 16, read first, referred to corporations. November 23, favorably, read second. December 6, read third, passed. February 5, enrolled, signed. February 6, approved.

- н. 46. To extend the terms of courts so as to finish a cause on trial.

November 17, read first, referred to judiciary.

By Mr. Kemp—

- н. 47. To provide for the election of the county superintendent of education by the qualified voters of Monroe county.

November 17, read first, referred to education.  
February 5, reported adverse.

By Mr. Barnett—

- н. 48. To amend sections 3 and 9 of an act entitled an act to more effectually secure competent and well qualified jurors in the county of Montgomery.

November 17, read first, referred to judiciary.  
November 20, favorably, read second. November 21, read third, passed. December 1, enrolled, signed. December 5, approved.

By Mr. Wiley—

- н. 49. To appropriate fifteen thousand dollars to aid in the erection of a monument to the Alabama soldiers, who fell in the late war between the States.

November 17, read first, referred to appropriations. February 9, reported favorably with amendment, read second, special order after journal, February 14. February 14, amended, read third, passed. February 23, concurred in senate amendment. February 25, enrolled, signed. February 28, approved.

By Mr. Weaver, with petition—

- н. 50. To prohibit the sale or giving away or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Falkville, Morgan county, Alabama.

November 17, read first, referred to temperance. November 20, favorably, read second. December 3, read third, passed. December 12, enrolled, signed, approved.

By Mr. Woolf—

- н. 51. To authorize the taking and perpetuating of the testimony of witnesses who are non-residents of this State.

November 17, read first, referred to judiciary. November 20, favorably, read second. November 21, read third, passed. December 3, enrolled, signed. December 8, approved.

(With notice and proof)—

- н. 52. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors in McKinley beat, Marengo county.

November 17, read first, referred to temperance. November 21, favorably, read second. November 30, read third, passed. December 7, concurred in senate amendment. December 8, enrolled, signed. December 11, approved.

By Mr. Ledyard—

- H. 53. To incorporate the Spring Hill Female Academy.

November 17, read first, referred to corporations. November 20, favorably, read second. November 24, read third, passed. December 4, enrolled, signed. December 8, approved.

- H. 54. To provide for the safe keeping of the funds of Alabama.

November 17, read first, referred to ways and means. November 23, adverse report.

By Mr. Anderson—

- H. 55. To provide for the sale of property of minors in order to remove the proceeds thereoffrom the State.

November 17, read first, referred to judiciary. November 21, favorably, amended, read second. November 26, amended, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Lewis—

- H. 56. To provide for returning and allowing proper credits for taxes wrongfully assessed and collected.

November 17, read first, ways and means. November 20, favorably, read second. November 23, read third, passed. December 1, enrolled, signed. December 7, approved.

(By request), with notice and proof—

- H. 57. To divide the county of Mobile into three revenue and road commissioners districts, and to provide for the election of revenue and road commissioners therein.

November 17, '88, read first, referred to revision of laws. November 19, favorable, read second. November 20, read third, passed. December 1, enrolled, signed. December 4, approved.

By Mr. Winston, (with petition)—

- II. 58. To prohibit the sale or giving away of vinous, spirituous or malt liquors, or intoxicating bitters, or beverages in Warrenton beat (14), Marshall county.

November 17, read first, referred to temperance. November 20, favorable, read second. November 26, read third, passed. December 7, enrolled, signed. December 8, approved.

- II. 59. To permit the people of Marshall county to elect their county commissioners by a vote of the qualified electors of each commissioners district.

November 17, read first, referred to revision of laws. November 19, favorable, read second. November 23, read third, passed. November 27, enrolled, signed. November 28, approved.

- II. 60. To provide for the election of the county solicitor by a vote of the qualified voters in the county of Marshall.

November 17, read first, referred to counties and county boundaries. November 21, favorably, read second. December 1, amended, read third, passed. January 30, read third, lost.

- II. 61. To provide for the election of the county superintendent of education by a vote of the people of Marshall county.

November 17, read first, referred to revision of laws. November 22, returned, referred to education. February 11, adverse.

By Mr. Pitts—

- II. 62. To authorize the mayor and aldermen of the city of Uniontown to issue bonds of said city for an amount not exceeding five thousand dollars, bearing eight per cent. interest, payable semi-annually, for the purpose of securing or furnishing said city with a bored well, and erecting water-works.

November 17, read first, referred to corporations. November 21, favorably, read second. November 26, amended, read third, passed. December 7, enrolled, signed. December 8, approved.

- II. 63. To fix the time for holding the circuit courts in the counties composing the fourth judicial circuit.

November 17, read first, referred to judiciary. November 20, favorably, read second. November

21, read third, passed. November 22, reconsidered, amended, read third, passed. December 1, enrolled, signed. December 4, approved.

- н. 64. To amend section 3069 of the Code.

November 17, read first, referred to judiciary.

- н. 65. To amend section 710 of the Code of 1886.

November 17, read first, to public printing. November 20, favorably, read second. November 26, laid on table, senate substitute passed.

By Mr. Stansel—

- н. 66. Enabling mortgagor to waive the statutory right of redemption.

November 17, read first, revision of laws. November 22, adverse report. February 1, taken up, read second.

By Mr. Carter—

- н. 67. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1st to March 1st, in stock districts already established, or that may hereafter be established in said county, and to authorize said court of county commissioners to levy a special tax in any such stock districts as is now established or that may be hereafter established in said county, for the purpose of building and maintaining line fences for such stock districts.

November 17, read first, judiciary.

By Mr. Darby—

- н. 68. To tax pistols carried or owned by citizens of this State.

November 17, read first, ways and means. November 23, adverse report.

By Mr. Henderson—

- н. 69. To regulate the payment of claims against the general fund of Randolph county.

November 17, read first, revision of laws. November 19, favorably, read second. November 20, read third, passed. November 27, enrolled, signed. November 28, approved.

- н. 70. To amend section 1422 of the Code of Alabama of 1886.



November 17, read first, revision of laws. November 20, favorably, with substitute, read second. November 23, substitute adopted, read third, passed. December 7, enrolled, signed. December 8, approved.

By Mr. Smith—

- H. 71. To amend section 2719 of the Code of Alabama.

November 17, read first, to judiciary. November 21, favorably, amended, read second. November 26, amended, read third, passed. December 8, enrolled, signed. December 12, approved.

By Mr. Nisbet—

- H. 72. To amend section 134 of the Code of 1886.

November 17, read first, to agriculture. November 21, favorably, amended, read second, recommended to agriculture. December 1, reported with substitute, read second. February 1, substitute adopted, indefinitely postponed.

- H. 73. To amend section 135 of the Code of 1886.

November 17, read first, referred to agriculture. November 22, adverse report. H. 72 contains this in a subsequent report.

- H. 74. To amend section 136 of the Code of 1886.

November 17, read first, referred to agriculture. November 21, favorable with amendment, read second. H. 72 contains this in a subsequent report.

- H. 75. To amend section 137 of the Code of 1886.

November 17, read first, referred to agriculture. November 23, read second.

- H. 76. To amend section 149 of the Code of 1886.

November 17, read first, agriculture. November 21, favorably, read second.

- H. 77. To allow the commissioner of agriculture to make his own printing contracts.

November 17, read first, public printing.

By Mr. Longshore—

- H. 78. To amend section 3789 of the Code.

November 17, read first, revision of laws. November 20, favorable with amendment, read second. November 23, amendment adopted, read third, passed.

- H. 79. To better secure the payment of fines and costs in criminal cases in the courts of this State.  
November 17, read first, revision of laws.

By Mr. Maddox—

- H. 80. To make deeds, conveyances and title bonds of real estate and personal property in this State, if private corporations, in the hands of grantors or purchasers, or persons holding under same, *prima facie* evidence of authority on the part of such corporations, to make and execute same when done in the name of and under the seal of the corporations.

November 17, read first, judiciary. November 21, adverse report.

- H. 81. To confer on courts of law in this State discretion in reference to the taxing of costs in cases of ejectment or in suits brought for the recovery of land.

November 17, read first, revision of laws. November 20, adverse report.

- H. 82. To amend section 3057 of the Code of Alabama of 1886.

November 17, read first, judiciary. November 21, adverse report.

- H. 83. To reduce the rate of taxation in the State of Alabama.

November 17, read first, ways and means. December 7, adverse report.

By Mr. Webb—

- H. 85. To encourage the permanent settlement of small farmers in the State of Alabama.

November 17, read first, agriculture. November 22, adverse report.

By Mr. Arrington—

- H. 84. To amend section 3089 of the Code.

November 17, read first, revision of laws. November 21, favorably with amendment, read second. November 27, amended, read third, passed. February 20, concurred in senate amendments. February 23, enrolled and signed. February 26, approved.

By Mr. Webb—

- H. 86. To provide the means of ascertaining the value of stock killed or injured by the trains or locomotives of railroads in Alabama.

November 17, read first, commerce and common carriers. November 27, read second. February 9, amended, read third, passed. February 25, non-concurs in senate amendment, senate recedes. February 26, enrolled and signed. February 28, approved.

- H. 87. To fix the amount of damages on appeals from judgments rendered for willful or negligent injury to stock.

November 17, read first, commerce and common carriers. November 27, adverse report. November 30, taken from adverse report, read second.

By Mr. Dupree—

- H. 88. To regulate the granting of whisky license in Talapoosa county.

November 17, read first, temperance. November 27, favorably, read second. December 7, amended, read third, passed.

By Mr. Clements—

- H. 89. To fix the rate of taxation in this State.

November 17, read first, referred to ways and means. December 1, favorably, read second. February 13, amended, read third and passed. February 15, concurred in senate amendment. February 16, signed. February 21, approved.

By Mr. Cornelius—

- H. 90. To provide for a charter for the city of Jasper, in Walker county, Alabama.

November 17, read first, referred to corporations. November 23, reported favorably, read second. December 10, amended, read third, passed. February 8, enrolled and signed. February 7, approved.

- H. 91. To authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, estab-

lishing water works, and the payment of the city's indebtedness.

November 17, read first, referred to judiciary. November 22, reported favorably to amendment, and minority report, read second. December 7, read third and passed. December 8, engrossed. February 2, enrolled and signed. February 6, approved.

- H. 92. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within five miles of Day's Gap, Walker county, Alabama.

November 17, read first, referred to temperance. November 20, favorably, read second. November 26, read third and passed. December 7, enrolled, signed and approved.

By Mr. Posey—

- H. 93. To increase the pay of the county commissioners of Washington county.

November 17, read first, ways and means. November 20, favorably, read second. November 24, read third, passed. December 3, enrolled, signed. December 4, approved.

By Mr. Miller, by request—

- H. 94. To regulate the fees of officers of court against the fine and forfeiture fund of Wilcox county.

November 17, read first, revision of laws. November 20, favorably, read second. November 23, read third, passed. December 3, enrolled, signed. December 4, approved.

By Mr. George, by request—

- H. 95. To amend section 3945 of the Code of Alabama. November 17, read first, revision of laws. November 20, favorably, read second. November 23, amended and tabled. November 23, taken from table, read third, passed. December 7, enrolled, signed. December 8, approved.

By Mr. Knight—

- H. 96. To amend section 1754 of the Code of Alabama. November 17, read first, revision of laws. November 30, read second. February 11, read third, passed.

By Mr. Adams—

- н. 97. To repeal an act entitled an act to regulate the trial of misdemeanors in the county of Bibb, approved February 24, 1887, and to provide for the disposition of certain cases now pending in the county court of Bibb county.

November 17, read first, revision of laws. November 20, favorably, read second. November 23, read third, passed. February 2, enrolled, signed. February 4, approved.

By Mr. Johnson—

- н. 98. To provide for a vote of the people on the subject of a permanent location of the county site of Blount county.

November 17, read first, counties and county boundaries. November 20, favorably, read second. November 26, read third, passed. February 13, non-concurred in senate amendment, conference committee. February 16, concurred in conference report. February 21, engrossed, signed. February 26, approved.

- н. 99. To authorize the court of county commissioners of Blount county to issue bonds of said county, to an amount not exceeding seventy thousand dollars, for the purpose of building a court house and jail for said county.

November 17, read first, counties and county boundaries. November 28, favorably, amended, read second. November 26, read third, passed.

- н. 100. To create a separate school district in Blount county, known as the Blount Springs district.

November 17, read first, education. November 20, favorably, read second. November 24, read third, passed. December 3, enrolled, signed. December 4, approved.

- н. 101. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials or fruits preserved in alcoholic liquors, within five miles of Village Springs Academy, in Blount county.

November 17, read first, temperance. November 20, reported favorably, read second. November 26, amended, read third, passed. December

6, senate amendment concurred in. December 8, enrolled, signed. December 11, approved.

By Mr. Powell—

H. 102. To require all money derived in the county of Mobile, from the liquor license to be paid into the State treasury.

November 17, read first, ways and means.  
November 23, adverse report.

By Mr. Williams—

H. 103. To change the name of the town of Cross Plains in the county of Calhoun, to Piedmont, and to establish a charter for the town of Piedmont in the county of Calhoun.

November 17, read first, education. November 23, returned, to corporations. December 4, favorably, read second. December 7, read third, passed. December 12, enrolled, signed, approved.

H. 104. To authorize the town council of Jacksonville, Alabama, to prohibit the running at large of cows and hogs, and other animals within the corporate limits of said town of Jacksonville.

November 17, read first, local laws. November 19, favorably, read second. November 20, read third, passed. November 26, senate amendment concurred in. November 27, enrolled, signed. December 1, approved.

H. 105. To create the tenth judicial circuit of the State of Alabama, and to fix the time for holding court therein, and to provide for the appointment and election of a judge and solicitor for said circuit.

November 17, read first, judiciary. December 4, favorably, read second. December 8, read third, passed. December 11, enrolled, signed. December 12, approved.

By Mr. Dykes—

H. 106. To define the jurisdiction of justices of the peace, and notaries public who are ex-officio justices of the peace, of precinct number (4) four, in Chilton county, and to provide for service of all process from their courts.



November 17, read first, revision of laws. November 27, adverse report.

By Mr. Rattray—

H. 107. To repeal an act entitled an act to regulate the keeping of dogs or animals of the dog kind in the county of Cherokee, approved February 28, 1887.

November 17, read first, local legislation. November 19, favorably, read second. November 20, read third, passed. December 4, enrolled, signed. December 5, approved.

H. 108. To repeal section 1450 of the Code of 1886, so far as the same applies to Cherokee county.

November 17, read first, local legislation. November 19, favorably, read second. November 20, amended, read third, passed. December 11, senate amendments concurred in. January 31, reconsidered vote concurring in 2d senate amendment, and non-concurred in 2d senate amendment. February 5, enrolled, signed. February 6, approved.

By Mr. Nelson—

H. 109. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, or intoxicating beverages in Clay county Alabama.

November 17, read first, temperance. November 20, favorably, read second. December 10, amended, read third, passed. February 15, concurred in senate amendment. February 16, enrolled, signed. February 20, approved.

By Mr. Mancill (with petition)—

H. 110. To repeal section 4193 of the Code of 1886, so far as the same relates to the county of Covington.

November 17, read first, revision of laws. November 19, favorably, read second. November 23, substitute adopted, and recommitted to revision of laws. November 27, reported favorably again, read second. December 7, read third, passed, recalled from senate. December 8, reconsidered, read third, passed. February 26, enrolled, signed. February 28, approved.

(With petition)—

H. 111. To repeal section 4078 of the criminal Code, so far as the same relates to the county of Covington.

November 17, read first, revision of laws. November 19, favorably, read second. November 20, recommitted to revision of laws. November 21, read third, lost.

By Mr. Watson—

H. 112. To authorize the commissioners court of Crenshaw county to establish or abolish stock law districts.

November 17, read first, local legislation. November 19, favorably, read second. November 20, read third, passed. November 27, enrolled, signed. November 28, approved.

By Mr. Hardy—

H. 113. To create the office of county solicitor of Dallas county, and to provide for his appointment and compensation.

November 17, read first, judiciary. February 26, adverse.

By Mr. Patton—

H. 114. To incorporate the Eutaw Female College, in the town of Eutaw, in Greene county, Alabama.

November 17, read first, corporations. November 20, favorably, read second. November 26, read third, passed. December 7, enrolled, signed. December 8, approved.

By Mr. Benners—

H. 115. To regulate the assessment and collection of State, county and other taxes upon lands and tenements in the possession of tenants for life, or of other less interest, or of persons in a trust capacity, and to define the interest in such lands and tenements acquired by purchasers at a sale thereof for unpaid taxes.

November 17, read first, to ways and means.

By Mr. Bogart (by request)—

H. 116. To amend section 3775 of the Code of 1876.

November 17, read first, to judiciary. November 21, adverse.

By Mr. Shorter—

H. 117. To amend an act entitled an act to amend section

499 of the Code of Alabama, approved February 18, 1887.

November 17, read first, to judiciary. November 21, favorably, read second. November 26, read third, passed. December 7, enrolled, signed. December 8, approved.

- H. 118. To regulate prosecutions for misdemeanors committed in cities and towns.

November 17, read first, judiciary. November 22, adverse. November 24, called up, read second.

By Mr. Davie—

- H. 119. To make appropriations for the payment of the railroad commissioners and their clerks, and for other expenses of the railroad commission.

November 19, read first, appropriations. November 28, read second. February 13, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Mancill—

- H. 120. To repeal an act entitled an act to prohibit the sale or giving away any intoxicating or malt liquors or intoxicating bitters within one mile of any church, in Covington county, except it be in a town duly incorporated and marshalled, approved February 11, 1887.

November 19, read first, temperance. December 4, adverse.

By Mr. Watson—

- H. 121. To change the boundary line between the counties of Butler and Crenshaw.

November 19, read first, county and county boundaries. November 21, favorably, read second. January 31, tabled.

By Mr. White—

- H. 122. For the relief of Wm. A. Jones of Selma, Alabama.

November 19, read first, appropriations. February 11, reported favorably, read second.

By Mr. Blevins—

- H. 123. To reduce and fix the commissions of the tax assessor of DeKalb county.

November 19, read first, ways and means. November 23, adverse report. January 31, re-committed to revision of laws. February 5, reported favorably, read second. February 19, amended, read third, passed.

- H. 124. To reduce and fix the commissions of the tax collector of DeKalb county.

November 19, read first, ways and means. November 23, adverse report. January 31, re-committed to revision of laws. February 5, reported favorably, read second. February 23, read third, passed.

By Mr. Rabb—

- H. 125. To amend section 716 of the Code of Alabama, fixing the times and places of holding the chancery court in the south-eastern chancery division.

November 19, read first, special committee. November 22, favorably, read second. December 6, read third and passed. February 6, enrolled and signed. February 7, approved.

By Mr. Wade—

- H. 126. To prohibit the sale, giving away or otherwise disposing of vinous, spirituos or malt liquors, intoxicating bitters or cordials within three miles of Liberty Coosa Missionary Baptist church and also Young's Chapel Methodist church, all in Etowah county, Alabama.

November 19, read first, temperance. February 21, favorably, read second. November 30, read third and passed. December 10, enrolled and signed. December 11, approved.

- H. 127. To abolish the normal school system of this State.

November 19, read first, education. November 30, adverse report.

By Mr. Ward—

- H. 128. To amend section 141 of the Code of 1886-87.

November 19, read first, ways and means. No-

vember 23, adverse report. November 26, called from adverse, favorably, read second. December 10, read third, passed.

By Mr. Lowe—

H. 129. To amend section 601 of the Code of 1886.

November 19, read first, ways and means.

December 6, adverse report.

H. 130. To amend section 609 of the Code of 1886.

November 19, read first, ways and means.

November 23, adverse report.

By Mr. Porter, (by request, with notice and proof)—

H. 131. To amend the charter of the town of Bessemer and to incorporate the same as the city of Bessemer, and to establish a charter therefor.

November 19, read first, corporations. November 30, favorably, read second. December 7, read third and passed. December 12, enrolled and signed. December 12, approved.

By Mr. Bradley, (by request)—

H. 132. To authorize the payment to certain parties therein named, school moneys overpaid by them to the State treasury.

November 19, read first, ways and means. November 21, favorably, read second. November 27, read third, passed. December 12, enrolled and signed. December 12, approved.

By Mr. Cunningham—

H. 133. To appropriate five hundred thousand dollars for the use and support of the public schools of the State, for each year, viz: For the fiscal year ending on the 30th day of September, 1889, and the 30th day of September, 1890, respectively.

November 19, read first, education. February 11, adverse report.

H. 134. To amend section 3089 of the Code in relation to leases of livery stable keepers.

November 19, read first, judiciary. November 27, read second.

H. 135. To prohibit the selling, bartering, exchanging, or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages nearer the

Methodist church at Rodgersville, Lauderdale county, than the beat line, in every direction from said church.

November 19, read first, temperance. November 21, favorably, read second. November 30, amended, read third and passed. December 8, enrolled and signed. December 11, approved.

By Mr. NeSmith—

H. 136. To amend section 3 of an act entitled an act for the protection of dogs, approved February 12, 1888.

November 19, read first, revision of laws. November 22, adverse report.

By Mr. Sowell—

H. 137. To establish a separate school district to be known as Union District, in Limestone county.

November 19, read first, education. November 22, favorably, read second. December 11, read third, passed. February 8, signed. February 9, approved.

By Mr. Paine—

H. 138. To amend sections 4337, 4338, 4352 and 4353 of the Code of Alabama, so far as the same relates to Macon county.

November 19, read first, revision of laws.

H. 139. To regulate the fees of constables in criminal cases in Macon county.

November 19, read first, revision of laws. November 21, favorably, read second. November 27, read third, passed. December 12, enrolled, signed. December 12, approved.

By Mr. Hundley—

H. 140. To amend section 4053 of the Code of Alabama.

November 19, read first, revision of laws. November 21, favorably, read second. December 8, read third, passed. February 1, concurred in senate amendment. February 5, enrolled, signed. February 6, approved.



By Mr. Meador—

- H. 141. To provide for the election of county superintendents of education of the State of Alabama.

November 19, read first, education. February 11, adverse report.

- H. 142. To enforce the closing of gates upon the public roads running through stock farms in Marengo county.

November 19, read first, local legislation. November 20, favorably, read second. November 26, read third, passed. December 7, enrolled, signed. December 8, approved.

By Mr. Winston—

- H. 143. To define the rights and liabilities of husband and wife.

November 19, read first, revision of laws. November 27, favorably, read second.

- H. 144. To increase the school fund of the State.

November 19, read first, education. February 5, adverse.

By Mr. Lewis—

- H. 145. To create a convict labor reform commission for the purpose of investigating how best to employ the convicts in this State other than by the contract system, and what improvements in the commitment, custody and employment, management and discipline of convicts should be adopted, and to make an appropriation to pay the expenses thereof.

November 19, read first, penitentiary and criminal administration. December 4, read second. February 18, tabled.

- H. 146. To authorize the redemption of lands or real estate sold for taxes and purchased by or in the name of the State.

November 19, read first, ways and means. December 6, adverse.

- H. 147. To repeal section 4 of an act to provide for the election and regulation of justices of the peace and constables in that part of the county of Mobile which was included within the corporate boundaries of the city of Mobile as the same was formerly incorporated, approved February 12, 1885.

November 19, read first, revision of laws. November 21, favorably, read second. November 27, read third, passed. February 12, enrolled, signed. February 15, approved.

- H. 148. To amend section 80 of the Code of 1886.

November 19, read first, accounts and claims. November 21, adverse.

- H. 149. To require the supreme court to pass upon applications for rehearing within sixty days after such application is made, and to require the clerk to give notice to the parties to the cause or their attorneys of record.

November 19, read first, judiciary. November 22, adverse.

By Mr. Lay—

- H. 150. To amend paragraph numbered 1 of section 1525 of the Code of Alabama.

November 19, read first, judiciary. November 22, favorably, amended, read second. December 10, amendment adopted, read third, passed. February 15, enrolled, signed. February 19, approved.

- H. 151. To amend section 1519 of the Code.

November 19, read first, judiciary. November 22, adverse.

- H. 152. To prevent the transportation of tramps, vagrants and other designated persons over the railroads of this State.

November 19, read first, commerce and common carriers. November 26, read second.

By Mr. Anderson—

- H. 153. To amend an act to amend and extend the charter of the Mobile Mutual Insurance Company, approved February 6th, 1866, and to change the name of said company, and to amend an act entitled an act to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved February 4th, 1867, and to amend an act entitled an act to incorporate the Mobile Mutual Insurance Company, approved February 6th, 1866, approved August 11th, 1868, which last act was approved February 17th, 1885.

November 19, read first, corporations. November 30, reported favorably, read second. December 8, read third and passed. February 5, enrolled and signed. February 6, approved.

By Mr. Hogue—

H. 154. For the relief of the Colored People's University of Montgomery.

November 19, read first, education. November 23, returned and referred to accounts and claims. November 30, reported favorably, read second. February 11, read third, passed. February 16, concurred in senate amendment. February 19, enrolled and signed. February 21, approved.

By Mr. Stansel—

H. 155. For the relief of T. P. Chapman, late sheriff of Pikens county.

November 19, read first, accounts and claims. November 22, favorably, read second. December 1, read third and passed. February 8, enrolled and signed. February 14, approved.

By Mr. Nisbet—

H. 156. To amend section 1395 and 1396 of the Code of 1886—1st, who liable to road duty; 2d, persons exempt from road duty.

November 19, read first, public roads and highways. November 22, adverse report.

By Mr. Lay—

H. 157. To incorporate the Gulf and Chicago Railway Company, and to further construction of the same.

November 19, read first, corporations. February 2, reported favorably with amendment, read second.

By Mr. Smith—

H. 158. To amend section 2721 of the Code of Alabama.

November 19, read first, judiciary. November 21, favorably with amendment, read second. November 26, amended, read third, passed. Decem-

ber 8, enrolled and signed. December 12, approved.

By Mr. Maddox—

H. 159. To provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

November 19, read first, counties and county boundaries. November 21, favorably, read second. November 30, read third, passed. December 7, enrolled and signed. December 8, approved.

By Mr. Dark—

H. 160. To abolish the county court of Tallapoosa county.

November 19, read first, revision of laws.. November 27, read second. January 29, read third and passed.

By Mr. Cochran—

H. 161. To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

November 19, read first, education. December 6, reported favorably, read second. January 29, read third, passed. February 8, enrolled and signed. February 13, approved.

By Mr. Clements—

H. 162. To exempt certain property from taxation.

November 19, read first, ways and means. November 21, reported favorably, read second. November 28, tabled.

By Mr. Cornelius—

H. 163. To prohibit the sale, giving away or disposing of any spirituous or malt liquors, intoxicating beverages, or fruits preserved in alcohol or alcoholic liquors within six miles of any coal mine or coal mining camp, iron ore mine, or iron ore mining camp, in the counties of Colbert, Franklin, Marion, Winston, Walker, Jefferson, Fayette or Tuscaloosa, provided that the provisions of this act shall not apply to incorporated towns or cities

within the limits of said counties, or either of them.

November 19, read first, temperance. November 27, read second. November 30, referred to special committee. December 6, favorably, substitute, "omnibus bill," special order 7th, 3 p. m. December 8, amended, read third and passed. December 12, enrolled and signed. December 12, approved.

- H. 164. To ratify and confirm the consolidation of the Alabama Mineral, Manufacturing and Railway Company, with the Sheffield and Birmingham Railroad Company.

November 19, read first, corporations. November 30, adverse. February 6, recommitted to corporations. February 9, reported favorably, read second.

By Mr. George—

- H. 165. To repeal an act to amend section 1630 of the Code of Alabama of 1876, as to the county of Wilcox, approved February 11, 1887.

November 19, read first, public roads and highways. November 22, favorably, read second. December 1, read third and passed. December 8, enrolled and signed. December 11, approved.

By Mr. Shorter—

- H. 166. To provide depositories for the funds of the State.

November 19, read first, ways and means. November 22, favorably with amendment, read second. January 31, concurred, special order February 4, after journal. February 4, special order, February 5, after journal. February 5, read third and lost.

By Mr. Watters—

- H. 167. To repeal paragraphs 35 and 36 of section 629 of the Code of Alabama.

November 19, read first, ways and means. November 21, favorably, read second. November 27, read third and passed. December 2, concurred in senate amendment. December 8, enrolled and signed. December 11, approved.

By Mr. Moseley—

H. 168. To punish persons who take by net or poison fish in Big Limestone creek, in Limestone county.

November 19, read first, local laws. November 20, favorably, read second. November 26, read third, passed. December 7, enrolled, signed. December 8, approved.

By Mr. Brown—

H. 169. To regulate the disbursing of the fine and forfeiture fund of Coosa county, so as to require the treasurer to pay all claims arising against said fund according to their registration.

November 19, read first, local legislation. November 21, favorably, read second. December 1, read third, passed. February 2, enrolled, signed. February 4, approved.

By Mr. Pitts—

H. 170. To establish in township 16 of range 6 east, in Perry county, a district in which stock shall not be allowed to run at large.

November 19, read first, local legislation. November 20, favorably, read second. November 26, read third, passed. December 12, enrolled, signed. December 12, approved.

By Mr. Knight, by request—

H. 171. To regulate the State witnesses fees in Hale county, Alabama, and to provide for the payment of the same.

November 19, read first, fees and salaries. November 23, favorably, read second. December 8, amended, read third, passed. February 8, enrolled, signed. February 11, approved.

By Mr. Wiley—

H. 172. To make an appropriation for improving, terracing and beautifying the grounds of the capitol.

November 19, read first, judiciary. November 22, returned and referred to appropriations. February 18, adverse.



By Mr. Shorter—

- H. 173. To regulate the purchase of cotton in the seed by manufacturers of cotton products in those sections of Barbour county where the sale of cotton in the seed is now prohibited by law.

November 20, read first, local legislation. November 23, favorably, read second. February 11, amended, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Adams—

- H. 174. To provide for and regulate the pay of State witnesses in Bibb county.

November 20, read first, local legislation. November 23, favorably, read second. December 8, read third, passed.

By Mr. Williams—

- H. 175. To regulate the pay of the teachers of public schools in the State.

November 20, read first, education. December 5, adverse.

By Mr. Denson—

- H. 176. To authorize the judges of probate to pay over to minors certain funds and take their receipt for the same.

November 20, read first, judiciary. November 22, favorably, read second. December 10, read third, passed. February 16, enrolled, signed. February 20, approved.

- H. 177. To amend section 2756 of the Code of 1886.

November 20, read first, judiciary. November 22, favorably, read second. February 18, read third, passed. February 28, enrolled, signed, approved.

By Mr. McLeod—

- H. 178. To determine and fix the amount of poll tax available each scholastic year for school purposes.

November 20, read first, education. February 9, favorably, read second.

By Mr. Allen—

- H. 179. To give the court of county commissioners of

Cleburne county exclusive control of the public printing in said county, and to authorize said court to make all contracts in relation thereto.

November 20, read first, local legislation. November 23, favorably, read second. December 8, read third, passed. February 8, enrolled, signed. February 11, approved.

By Mr. Lee—

H. 180. To establish a separate school district in Conecuh county.

November 20, read first, education. November 22, favorably, read second. February 19, incorporated in s. 38.

By Mr. Billingslea—

H. 181. To establish a sinking fund commission for Selma.

November 20, read first, judiciary. November 22, favorably, read second. December 6, read third, passed. December 12, enrolled, signed, approved.

By Mr. White—

H. 182. To provide for the issue of preferred stock by corporations organized under the general laws of the State.

November 20, read first, judiciary. November 22, favorably, read second. February 14, read third, passed. February 28, enrolled, signed. February 28, approved.

By Mr. Wade—

H. 183. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials within one and a half miles of Pleasant Hill Baptist church, in Cox's beat, Etowah county.

November 20, read first, temperance. November 23, favorably, read second. December 2, special committee. December 6, favorably in omnibus bill 163.

By Mr. Patton—

H. 184. To require the commissioners of roads and revenue

of Greene county to give bond.

November 20, read first, public roads and highways. November 23, favorably, read second. December 10, read third, passed. February 8, enrolled and signed. February 11, approved.

By Mr. Ward, (by request)—

H. 185. To provide for deficiencies in appropriations for public printing for the fiscal year ending September 30, 1887, and for deficiencies in appropriation for distributing acts, journals, and other public documents, for the fiscal year ending September 30th, 1888.

November 20, read first, appropriations. November 27, favorably, read second. December 7, read third, passed. December 12, enrolled and signed. December 12, approved.

By Mr. Bogart—

H. 186. To provide for the fine and forfeiture fund of several counties in this State.

November 20, read first, judiciary. November 22, adverse.

By Mr. Lowe—

H. 187. Prescribing how private corporations may increase their capital stock or bonded indebtedness.

November 20, read first, corporations. January 31, favorably, read second.

By Mr. Cunningham—

H. 188. To secure a uniform system of text-books for the use of the public schools of Alabama.

November 20, read first, education. December 5, adverse.

By Mr. Paine—

H. 189. To amend section 1913 of the Code.

November 20, read first, revision of laws. November 23, read second.

By Mr. Walker, (by request)—

H. 190. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruit preserved

in alcoholic liquors within three miles of the Cumberland Presbyterian and Methodist churches at Maysville, Madison county, Alabama.

November 20, read first, temperance. November 23, favorably, read second. December 3, special committee. December 5, favorably, in substitute 163.

By Mr. Hundley—

H. 191. To amend section 4108 of the Code of Alabama.

November 20, read first, commerce and common carriers. November 23, read second. February 1, favorably, read second.

H. 192. To provide for greater security for travelers on passenger trains in this State.

November 20, read first, commerce and common carriers. November 26, favorably, read second. January 29, read third, passed. February 28, enrolled and signed. February 28, approved.

H. 193. To complete, furnish and equip the buildings of the Agricultural and Mechanical College.

November 20, read first, education. December 5, favorably, read second. December 10, amended, read third, passed. December 12, enrolled and signed. December 12, approved.

By Mr. Woolf—

H. 194. To amend sections 762 and 763 of the Code of 1886.

November 20, read first, revision of laws. November 23, favorably, read second. February 19, amended, read third, passed. February 28, enrolled and signed. February 28, approved.

By Mr. Clark—

H. 195. To repeal an act to authorize the tax collector of Marion county to collect the unpaid taxes for the years 1880, 1881, 1882, 1883, and to pay the same to J. R. Hughes, late tax collector of said county, for the purpose of reimbursing the said J. R. Hughes for money paid to State and county on account of said taxes, approved February 28, 1887.

November 20, read first, local legislation. November 23, favorably, read second. December 11, read third and passed.

By Mr. Winston—

H. 196. To provide for furnishing tools to work the public roads in Marshall county by the court of county commissioners of said county, and to provide for the safe keeping of the said tools.

November 20, read first, public roads and highways. November 23, favorably, read second. December 11, read third and passed. February 8, enrolled and signed. February 11, approved.

H. 197. To amend section 1388 (1620) of the Code of 1886.

November 20, read first, public roads and highways. November 23, adverse. Recommitted to public roads and highways. November 27, read second.

By Mr. Ledyard—

H. 198. To prevent perjury, and punish the same.

November 20, read first, judiciary. November 22, favorably, read second.

By Mr. Lay—

H. 199. To require the sale of personal property on certain conditions to be in writing and recorded.

November 20, read first, judiciary. November 27, favorably, read second. (Substitute.)

By Mr. Lay—

H. 200. To amend section one, two and eleven of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in towns and cities of more than one thousand inhabitants in the State of Alabama.

November 20, read first, public health. December 4, adverse. December 10, taken up, read second. December 12, amended, read third, passed. February 13, non-concurred in senate amendment, conference committee. February 15, enrolled, signed. February 25, approved.

By Mr. Fitzpatrick—

H. 201. To amend section 971 of the Code.

November 20, read first, revision of laws.  
November 22, returned and referred to education.

By Mr. McLendon—

H. 202. To amend section 981 of the Code.

November 20, read first, revision of laws.  
November 22, returned and referred to education.

By Mr. Stone—

H. 203. To amend section 1399 of the Code.

November 20, read first, judiciary. November 22, favorably, read second. February 20, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Stone—

H. 204. To prohibit the sale, giving away or otherwise disposing of any malt, vinous or spirituous liquors within three miles of Shady Grove church in Pickens county, Alabama.

November 20, read first, temperance. November 23, read second. December 3, referred to special committee. December 5, favorably in substitute, 163.

By Mr. Stansel—

H. 205. To accept the grant made to the State of Alabama, by act of congress, approved March 2, 1887.

November 20, read first, agriculture. November 23, read second.

By Mr. Darby—

H. 206. To ratify and confirm the purchase of lands of the estate of Wm. M. Murphree, deceased by the mayor and council of Troy, and the contract made by said mayor and council with the Public School Building Company of Troy, Alabama, for the payment for the buildings erected on said lands for the State Normal School and the Public Schools operated in connection therewith.

November 20, read first, education. November 26, favorably, read second. February 11, read third, passed. February 25, enrolled, signed. February 28, approved.

H. 207. To amend section 968 of the Code.



November 20, read first, education. February 5, adverse. February 20, taken up, read second. February 21, substitute adopted, tabled.

- H. 208. To authorize the mayor and councilmen of Troy, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing school lots in said city and of erecting, adding to and improving school buildings and furnishing the same.

November 20, read first, local legislation. November 23, favorably, read second. December 10, amended, read third, passed. February 5, enrolled, signed. February 6, approved.

By Mr. Henderson, (by request and petition—)

- H. 209. To prevent stock from running at large in the several beats of Randolph county, and to authorize elections thereon.

November 20, read first, local legislation. November 20, favorably, read second. February 11, amended, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Nisbet—

- H. 210. To prohibit the running of freight trains on Sunday, in the State of Alabama.

November 20, read first, commerce and common carriers. November 23, adverse report.

- H. 211. To amend section 7 of the Revenue Code of 1884, and 1885, of Alabama.

November 20, read first, revision of laws. November 22, favorably, read second.

- H. 212. To amend section 1, of article 8 of the constitution of Alabama.

November 20, read first, judiciary. November 22, adverse report.

By Mr. Longshore—

- H. 213. To amend section 1396 of the Code.

November 20, read first, public roads and highways. November 22, favorably, read second.

By Mr. McElderry—

- H. 214. To establish boards of education in the several counties in this State, for the regulation and

control of the common schools therein and to define the duties therein.

November 20, read first, education. February 16, favorably, read second.

By Mr. Dupree—

H. 215. To repeal an act entitled an act to change the apportioning of hands on roads in Tallapoosa county, approved March 1, 1870.

November 20, read first, public roads and highways. November 23, favorably, read second. January 29, read third, passed. February 12, enrolled, signed. February 16, approved.

By Mr. Cochran—

H. 216. To amend section 6 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887.

November 20, read first, judiciary. November 22, favorably, read second.

By Mr. Clements—

H. 217. To provide for and regulate the pay of State witnesses in Tuscaloosa county.

November 20, read first, revision of laws. November 22, favorably, read second. December 7, special order. February 1, after journal. February 1, read third, passed.

By Mr. Cornelius—

H. 218. To authorize Wm. R. King of Walker county, Alabama, in addition to his authority to compound and sell drugs, to prescribe medicines to such as may apply to him and to charge and collect money for such prescriptions.

November 20, read first, public health. November 23, adverse report.

H. 219. To prohibit the sale, giving away or otherwise disposing of any spirituous vinous or malt liquors or intoxicating bitters or beverages in beat No. 8, in Walker county.

November 20, read first, temperance. November 23, read second. December 3, special committee. December 5, favorably, substituted 163.

By Mr. Bradley—

- H. 220. To regulate the term of the circuit court in the county of Lamar, in the sixth judicial circuit of the State of Alabama, and to fix the time of holding the same.

November 20, read first, judiciary. December 6, favorably, read second.

By Mr. Mancill—

- H. 221. To prohibit the selling or otherwise disposing of vinous, spirituous or other intoxicating liquors, in any of the precincts in Covington county, unless the same shall first be submitted to the voters of such precinct or precincts.

November 20, read first, temperance. December 6, favorably, read second. December 8, read third, passed. February 25, concurred in senate amendment. February 26, enrolled and signed. February 28, approved.

By Mr. Lowe—

- H. 222. For the proper ventilation and conduct of coal mines or collieries in the State of Alabama, and providing for the examination of a State Board of Examiners, for the examination of candidates for the office of Mines Inspectors and prescribing the mode of such Inspectors appointment, duties and term of office and providing for his compensation and that of the examiners.

November 20, read first, corporations. February 12, amendment, favorably, read second. February 23, amended, tabled.

By Mr. Adams—

- H. 223. To provide for the election of a county superintendent of education for the county of Bibb, and to define his duties.

November 21, read first, education. February 5, adverse.

By Mr. Johnson—

- H. 224. To change the boundary lines between the counties of Blount and Jefferson.

November 21, read first, counties and county boundaries.

- H. 225. To form a new county to be called the county of Milner.

November 21, read first, to county and county boundaries. November 30, favorably, with amendment, read second. December 6, special order February 4, after journal. February 4, amendment adopted, read third, lost. February 6, reconsidered, read third, lost.

By Mr. Williams—

- H. 226. To provide for the election of county superintendents of education for the State.

November 21, read first, education. November 27, favorably, read second. December 1, amended, read 3, passed. February 1, concurred in first senate amendment, and non-concurred in second. February 4, committee of conference. February 9, conference report concurred in. February 12, enrolled, signed. February 13, approved.

By Mr. Denson—

- H. 227. To amend section 1883 of the Code of 1886.

November 21, read first, judiciary. November 24, read second.

- H. 228. To amend section 1890 of the Code of 1886.

November 21, read first, judiciary. November 24, adverse.

By Mr. Maley—

- H. 229. To amend an act entitled an act to prevent stock from running at large in the several beats of Chambers county.

November 21, read first, local legislation. November 23, favorably, read second. December 7, read third, passed. February 2, enrolled, signed. February 4, approved.

By Mr. McLeod—

- H. 230. For the relief of State witnesses in Clarke county, in cases where the State fails.

November 21, read first, revision of laws. November 24, favorably, read second. December 7, read third, passed. February 12, enrolled, signed. February 15, approved.

By Mr. Smisson—

- H. 231. To amend an act entitled an act to provide for the registration of and lien of judgments and decrees for the payment of money, approved February 28, 1887.

November 21, read first, judiciary. November 28, adverse.

By Mr. White of Dallas—

- H. 232. To make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for public schools.

November 21, read first, appropriations. November 28, favorably, read second. December 5, amended, read third, passed. December 12, concur in conference report on senate amendment; enrolled, signed, approved.

By Mr. Pettus—

- H. 233. To amend section 15 of an act to provide a new charter for the city of Tuscumbia, approved February 28, 1887.

November 21, read first, judiciary. November 24, read second.

By Mr. Parker—

- H. 234. To limit the hours of compulsory labor in any mechanical or manufacturing business in Elmore county.

November 21, read first, local legislation. November 23, favorably, read second.

By Mr. Files—

- H. 235. To authorize an election to sell, give away or otherwise dispose of spirituous liquors and intoxicating bitters in Fayette.

November 21, read first, privileges and elections. December 6, favorably, read second.

By Mr. Bogart—

- H. 236. To amend an act entitled an act to create a separate school district in Jackson county known as Pleasant Grove, out of a part of township five, range six east.

November 21, read first, education. December 5, favorably, read second. December 10, amended, read third, passed. February 12, enrolled, signed. February 15, approved.

By Mr. Lowe, (by request)—

- H. 237. To amend, confirm and enlarge the charter of the Bessemer Dummy Line, and to change the name of the same.

November 21, read first, corporations. December 4, favorably, read second. February 1, read third, passed. February 15, enrolled, signed. February 19, approved.

- H. 238. To confirm, amend and enlarge the charter of the Birmingham and Western Street Railway Company.

November 21, read first, corporations. December 4, read second.

- H. 239. To protect trespassers and property upon railroad rights of way.

November 21, read first, commerce and common carriers. November 24, adverse. November 27, called up, read second.

By Mr. NeSmith (with notice and proof),

- H. 240. For the relief of M. L. Ussery, a teacher in a free public school.

November 21, read first, judiciary. November 24, adverse report.

By Mr. Kyle—

- H. 241. To amend sections 2, 3, 4, 6, 14 and 33 of an act entitled an act to incorporate the district of Opelika, and provide for the government thereof.

November 21, read first, local legislation. November 23, favorably, read second. December 3, amended, read third and passed. February 11, conference report concurred in. February 15, enrolled and signed. February 21, approved.

By Mr. Meador—

- H. 242. To define a lawful wire fence in the State of Alabama.

November 21, read first, revision of laws. December 7, favorably, read second. February 8,



read third, passed. February 25, concurred in senate amendment, enrolled and signed. February 28, approved.

By Mr. Winston—

- H. 243. For the relief of soldiers maimed or disabled during the late war, and the widows of Confederate soldiers whose husbands were killed or died in said war, and who have not since re-married.

November 21, read first, appropriations. February 5, favorably to substitute, read second. February 6, amended, read third and passed. February 26, conference committee appointed. February 28, conference report concurred in, signed and approved.

- H. 244. To amend section 1 of an act entitled an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury.

November 21, read first, fees and salaries. December 1, favorably, read second.

By Mr. Ledyard—

- H. 245. To authorize the election of an additional major in each regiment of State troops.

November 21, read first, military. November 24, read second. February 23, read third, passed. February 28, enrolled, signed and approved.

By Mr. Lewis—

- H. 246. To create a lien upon the lands and improvements thereon in favor of mechanics, builders, contractors and material men, and to provide for the enforcement thereof.

November 21, read first, judiciary. November 24, adverse report.

- H. 247. To amend subdivision 7 of section 453, and subdivisions 22 and 40 of section 629 of the Code of 1886.

November 21, read first, ways and means. November 23, adverse report.

By Mr. Lay—

H. 248. To amend paragraph 1 of section 1664 of the Code of Alabama.

November 21, read first, local legislation. November 30, adverse report.

By Mr. Barnett (by request),

H. 249. To amend section 463 of the Code.

November 21, read first, ways and means. February 11, adverse report.

H. 250. To repeal section 40 of an act entitled an act to amend section 131 of the revenue law act of 1886-87, and to re-enact section 549 of the Code of Alabama.

November 21, read first, ways and means. November 23, adverse report.

By Mr. McLendon (by request),

H. 251. To amend section 518 of the Code.

November 21, read first, ways and means. November 23, favorably, read second.

By Mr. Wiley (by request),

H. 252. To amend section 487 of the Code.

November 21, read first, revision of laws. November 30, adverse report.

H. 253. To amend section 496 of the Code.

November 21, read first, revision of laws. November 30, adverse report.

H. 254. To amend section 488 of the Code.

November 21, read first, revision of laws. November 27, read second.

By Mr. Weaver—

H. 255. To repeal an act to provide for the keeping in better repair the public roads and highways of Morgan county.

November 21, read first, public roads and highways. November 23, favorably, read second. February 11, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Pitts—

H. 256. To amend section 5775 of the Code of 1886.

November 21, read first, judiciary. November 27, read second.

By Mr. Hogue—

H. 257. To confine the jurisdiction of justices of the peace in criminal causes to their respective precincts. November 21, read first, judiciary. November 24, adverse. November 26, referred back to judiciary. January 31, reported favorably, read second.

H. 258. To fix the fees of the circuit clerk of Perry county. November 21, read first, fees and salaries. November 23, favorably, read second. January 29, read third and passed. February 9, enrolled and signed. February 11, approved.

By Mr. Carter—

H. 259. To authorize the court of county commissioners of Pike county to permit stock to run at large from December 1st to March 1st in stock districts already established in said county, or that may be hereafter established.

November 21, read first, local legislation. November 23, favorably, read second. February 25, read third, passed.

H. 260. To authorize the court of commissioners of Pike county to levy a special tax in any such stock district as is now established, or that may be hereafter established within said county, for the purpose of building and maintaining line fences for such districts.

November 21, read first, local legislation. November 23, favorably, read second. January 29, read third, lost. January 30, reconsidered, read third, passed. February 12, signed. February 14, approved.

H. 261. To amend section 3712 of the Code of Alabama.

November 21, read first, revision of laws. November 23, adverse.

By Mr. Smith—

H. 262. To define and make the line between the counties of Russell and Lee through Marshall's Reserve.

November 21, read first, counties and county boundaries. November 23, favorably, read sec-

ond. November 24, read third, passed. December 12, enrolled, signed, approved.

By Mr. Longshore—

H. 263. To amend section 3 of an act to provide for the publication and distribution of the Code of Alabama, approved February 21, 1887.

November 21, read first, revision of laws. November 27, read second.

By Mr. Arrington—

H. 264. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers who were killed or died in said war, and who have not since married.

November 21, read first, appropriations.

By Mr. McElderry—

H. 265. To repeal an act to provide for the more efficient working of the public roads in the county of Talladega.

November 21, read first, public roads and highways. November 23, favorably, read second.

By Mr. Cochrane—

H. 266. To amend section 3211 of the Code of Alabama.

November 21, read first, judiciary. November 24, adverse.

By Mr. Clements—

H. 267. To amend section 3 and 4 of an act to more effectually secure competent and well qualified jurors in the several counties of this State, etc., approved February 28, 1887.

November 21, read first, revision of laws. November 27, read second. January 30, amended, read third, passed.

By Mr. Coleman—

H. 268. To amend section 4078 of the Code of Alabama.

November 21, read first, public health. November 23, adverse report.

By Mr. George—

H. 269. To amend section 2342 of the Code, as far as it relates to Wilcox county.

November 21, read first, ways and means. November 23, returned by ways and means and referred to judiciary. February 26, adverse.

By Mr. Long—

H. 270. To prevent stock raisers and herders, living in other counties in this State, from driving stock into Winston county, in this State, for the purpose of keeping and herding the same.

November 21, read first, local legislation. November 23, returned and referred to judiciary. November 27, adverse.

By Mr. Watson—

H. 271. To authorize and require the commissioners court of Crenshaw county to dispose of moneys arising from fines and forfeitures and convict labor.

November 21, read first, local legislation. November 23, favorably, read second. December 8, read third and passed. February 2, enrolled and signed. February 4, approved.

By Mr. Denison—

H. 272. To prevent any person from treating another to vinous, spirituous or malt liquors in a drinking saloon or in a room run in connection with a drinking saloon.

November 21, read first, temperance. November 23, favorably, read second.

By Mr. Mancill—

H. 273. For the relief of persons engaged in the practice of medicine in Covington county prior to the establishment of the medical board of said county.

November 21, read first, public health. November 23, adverse. November 26, taken up, placed on calendar, read second.

By Mr. Shorter—

H. 274. To establish the Belcher school district, in Barbour county.

November 21, read first, education. November 23, favorably, read second. December 7, read third, passed. February 2, enrolled, signed. February 4, approved.

## H. 275. To incorporate Irby Female Seminary.

November 21, read first, education. November 26, favorably, read second. December 7, read third, passed. December 12, enrolled, signed, approved.

By Mr. Rabb—

## H. 276. To provide for the public printing of the State.

November 22, read first, public printing. November 24, favorably, read second. December 3, amended, read third, passed. February 28, conference committee appointed, conference report concurred in, enrolled, signed, approved.

By Mr. Lay—

## H. 277. To authorize the county of Mobile to make and issue bonds to the amount of one hundred and sixty-nine thousand dollars for the purpose of redeeming and retiring certain bonds of equal amount to become due.

November 22, read first, special committee from Mobile. November 23, favorably, read second, special order for to-morrow. November 24, read third, passed. December 8, enrolled, signed. December 12, approved.

By Mr. King—

## H. 277½. To prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat number 5, in the county of Butler, and to prescribe a rule of damages and the rules of practice in the trials of cases under this act.

November 22, read first, local legislation. December 5, favorably with substitute, read second. December 7, substitute adopted, read third, passed. February 9, concurred in senate amendments. February 12, signed. December 19, approved.

By Mr. Cornelius—

## H. 278. To designate and establish the line between Blount and Walker and Jefferson counties.

November 22, read first, counties and county boundaries.



By Mr. Lee—

- H. 280. To amend section 3812 of the Code of Alabama.

November 22, read first, agriculture. November 28, adverse.

By Mr. Higgins—

- H. 281. To amend section 475 of the Code.

November 22, read first, ways and means.

- H. 282. To repeal an act entitled an act for the preservation of game animals and birds, in the counties of Cullman, Hale and Greene, so far as the same applies to the county of Cullman.

November 22, read first, local legislation. November 24, read second.

- H. 283. To repeal an act entitled an act for the preservation of game in Limestone, Cullman and Madison counties, so far as the same applies to the county of Cullman.

November 22, read first, local legislation. November 24, read second. December 11, read third, passed.

- H. 284. To repeal an act entitled an act to protect game in Cullman county.

November 22, read first, local legislation. November 24, read second.

By Mr. White, of Dallas—

- H. 285. For the relief of any persons who elect to perform hard labor for the county under section 4290 of the Code.

November 22, read first, penitentiary and criminal administration. November 23, favorably, read second.

By Mr. White, of Geneva—

- H. 286. To repeal an act to regulate the mileage and pay of jurors and commissioners of Geneva county, and to provide for the payment of the same, approved February 27, 1872.

November 22, read first, local legislation. November 26, read second. February 13, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Bogart—

- H. 287. To amend an act to change the manner of appointing overseers and apportioners of roads in the county of Russell, the provisions of which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled an act to repeal and amend the road law in Jackson county.

November 22, read first, public roads and highways. November 27, favorably, read second. December 11, read third, passed. February 12, enrolled, signed. February 16, approved.

By Mr. Porter—

- H. 288. To amend sections 2331 and 2332 of the Code of Alabama.

November 22, read first, judiciary. November 24, adverse.

- H. 289. To amend section 2335 of the Code.

November 22, read first, judiciary. November 24, read second.

By Mr. Paine—

- H. 290. For the preservation of game animals, birds and fish in Macon county.

November 22, read first, revision of laws. November 27, favorably, read second. December 11, read third and passed. February 8, signed. February 11, approved.

By Mr. Hundley—

- H. 291. To provide for the payment of wages of workmen employed in mining and factories in the State of Alabama, in lawful money of the United States, and to protect such workmen in the management and control of their own earnings.

November 22, read first, judiciary.

- H. 292. To give laborers, workmen, mechanics, and all who work for wages by the day, week or month, a lien on the product of their labor for the amount of their wages.

November 22, read first, judiciary. February 26, adverse.

By Mr. Bogart—

- H. 287. To amend an act to change the manner of appointing overseers and apportioners of roads in the county of Russell, the provisions of which were extended to Jackson county, approved January 18, 1858, and the act amendatory thereto, approved January 23, 1860, entitled an act to repeal and amend the road law in Jackson county.

November 22, read first, public roads and highways. November 27, favorably, read second. December 11, read third, passed. February 12, enrolled, signed. February 16, approved.

By Mr. Porter—

- H. 288. To amend sections 2331 and 2332 of the Code of Alabama.

November 22, read first, judiciary. November 24, adverse.

- H. 289. To amend section 2335 of the Code.

November 22, read first, judiciary. November 24, read second.

By Mr. Paine—

- H. 290. For the preservation of game animals, birds and fish in Macon county.

November 22, read first, revision of laws. November 27, favorably, read second. December 11, read third and passed. February 8, signed. February 11, approved.

By Mr. Hundley—

- H. 291. To provide for the payment of wages of workmen employed in mining and factories in the State of Alabama, in lawful money of the United States, and to protect such workmen in the management and control of their own earnings.

November 22, read first, judiciary.

- H. 292. To give laborers, workmen, mechanics, and all who work for wages by the day, week or month, a lien on the product of their labor for the amount of their wages.

November 22, read first, judiciary. February 26, adverse.

By Mr. Clark—

- H. 293. To repeal an act entitled an act to repeal an act to regulate the publication of legal notices in Shelby and other counties therein named, approved March 3, 1870, so far as the same relates to Marion county, approved February 4, 1885.

November 22, read first, local legislation. February 5, favorably, read second.

- H. 294. To incorporate the town of Winfield, Marion county, Alabama.

November 22, read first, corporations. November 30, adverse report.

By Mr. Ledyard—

- H. 295. To amend sections 3 and 4 of an act to facilitate the giving of bonds required by law, and authorizing certain corporations to become sole surety thereon, approved February 28, 1887.

November 22, read first, corporations. December 10, favorably, read second.

By Mr. Kemp—

- H. 296. To amend the act approved February 28, 1887, entitled an act to divide the State into four chancery divisions, so far as the same relates to the place of holding court in the eleventh district of the south-western chancery division.

November 22, read first, judiciary.

By Mr. Barnett, (by request)—

- H. 297. For the removal of the State Normal School and University from Marion, Perry county, to change the name of the same to the State Normal School, and to provide for the control and maintenance of the same.

November 22, read first, education. November 30, adverse.

By Mr. Fitzpatrick—

- H. 298. To amend sections 1, 3, 5 and 9 of an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and amendments thereto, approved February 28, 1887.

November 22, read first, education. February 9, favorably, read second.

- H. 299. To repeal an act to regulate the collection of poll tax in this State.

November 22, read first, education. February 9, favorably, read second.

By Mr. Longshore—

- H. 300. To regulate the terms of the various State and county officers of this State.

November 22, read first, revision of laws. November 30, adverse. December 4, taken up, read second.

By Mr. Arrington—

- H. 301. To amend section 4556 of the Code.

November 22, read first, penitentiary and criminal administration. November 23, favorably, read second. January 29, amended, read third, passed.

By Mr. Webb—

- H. 302. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Talladega and other counties, approved February 13, 1879, so far as the same relates to beat No. 7, county of Talladega.

November 22, read first, local legislation. November 24, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. George—

- H. 303. To amend an act to provide for feeding prisoners after they are sentenced to be confined in the penitentiary, approved February 28, 1887.

November 22, read first, penitentiary and criminal administration. November 23, favorably, read second.

By Mr. Lee—

- H. 304. To punish the evil communication of certain contagious diseases to other persons.

November 23, read first, public health. December 7, favorably, read second.

By Mr. Smisson—

- н. 305. To make a separate school district in Dale county, to be known as the Sylvan Grove district.

November 23, read first, education. November 26, favorably, read second. February 19, incorporated in senate 38.

By Mr. Pettus, (by request)—

- н. 306. To incorporate the Selma Park Association.

November 23, read first, to corporations. November 30, adverse. January 29, recommitted to corporations. February 7, favorably, read second. February 19, read third, passed. February 28, enrolled, signed, approved.

By Mr. Blevins—

- н. 307. To amend an act entitled an act to raise the standard of scholarship required for teachers of the third grade in the public schools of the State, approved February 26, 1887.

November 23, read first, education.

By Mr. Wade—

- н. 308. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors within four miles of Cove Creek Cumberland Presbyterian church in Etowah county.

November 23, read first, temperance. November 27, read second. December 3, special committee. December 6, favorable, with substitute, 163.

By Mr. Bogart (by request)—

- н. 309. To supply the county of Jackson with a tract book.

November 23, read first, to ways and means.

November 30, adverse.

By Mr. Sowell—

- н. 310. To prohibit the sale of vinous or spirituous liquors within two miles of State Line church in Limestone county.

November 23, read first, temperance. November 27, read second. November 30, referred to special committee. December 5, favorable, substitute 163.



By Mr. Hundley—

- H. 311. To provide for the working, keeping up, repairing and improving the public roads, and opening and making new public roads in Madison county, and to create a board in said county to have general supervision of all public roads therein, for the working of which money is paid out of the county treasury.

November 23, read first, special committee of Madison delegation. November 23, favorable, read second. December 11, read third, passed. February 7, concurred in senate amendment. February 12, enrolled, signed. February 16, approved.

By Mr. Winston—

- H. 312. To amend section 1869 of the Code of 1886.

November 23, read first, revision of laws. November 26, read second.

By Mr. Anderson—

- H. 313. To require the Louisville and Nashville railroad company to build a fence on a part of its track in Mobile county.

November 23, read first, judiciary. November 27, adverse report. November 27, called up, read second. December 11, read third, passed.

By Mr. Lewis—

- H. 314. To fix the fees of coroners.

November 23, read first, fees and salaries. December 1, favorably, read second. January 30, read third, passed.

By Mr. Longshore, by request—

- H. 315. To provide for and regulate the sale of spirituous, vinous, or malt liquors in the corporate limits of the town of Calera, Shelby county.

November 23, read first, local legislation. December 5, favorably, read second. January 29, read third, passed.

By Mr. Clements—

- H. 316. To amend an act entitled an act to establish the Warrior agricultural district, to provide for the

securing of the same, and the management of its affairs, approved February 12, 1879.

November 23, read first, revision of laws. November 30, favorably, read second. February 11, amended, read third, passed. February 25, enrolled, signed. February 28, approved.

By Mr. Dykes—

- H. 317. To repeal an act entitled an act to establish a court of county revenue for Chilton county, approved February 28, 1887.

November 23, read first, local legislation. November 27, adverse report. November 30, taken up, read second. February 2, read third, lost.

By Mr. Mancill—

- H. 318. To incorporate the Covington and Escambia Alliance Navigation and Transportation company.

November 23, read first, commerce and common carriers. November 26, read second. February 13, read third, passed. February 28, enrolled, signed, approved.

By Mr. Pettus—

- H. 319. To amend section 215 of the Code.

November 23, read first, judiciary. November 27, favorably, read second. January 29, read third, passed. February 15, enrolled, signed. February 19, approved.

- H. 320. To amend section 214 of the Code.

November 23, read first, judiciary. November 27, read second.

By Mr. Hundley—

- H. 321. To amend an act entitled an act granting right of way to the Nashville and Chattanooga Railroad company through Jackson county, and the privilege of constructing a bridge across the Tennessee river in said county, approved January 21, 1850.

November 23, read first, commerce and common carriers. November 26, favorably, read second. December 11, read third, passed. February 15, enrolled, signed. February 19, approved.

By Mr. Barnett—

- H. 322. To prohibit hunting or trapping of game or fish on lands of another, in beats 1, 2, 5, 6, 7, 8, 9, 10, 11, 12 and 13, in Montgomery county, without the permission of the owner of the land, or his or her agent.

November 23, read first, judiciary. November 28, favorably, with amendment, read second. December 12, amended, read third, passed. February 12, enrolled and signed. February 18, approved.

By Mr. Henderson—

- H. 323. To provide for registration and lien of judgments of justices of the peace for the payment of money, by motion in the circuit court.

November 23, read first, revision of laws. December 7, favorably, read second.

By Mr. McLendon—

- H. 324. To amend subdivision 4 of section 968 of the Code.

November 28, read first, education. February 5, adverse report.

By Mr. McRee—

- H. 325. To prevent persons from hunting with gun or dog upon the lands of another in the county of Lowndes, without first obtaining permission and consent from the owner or agent of said land.

November 23, read first, local legislation. November 26, favorably, read second. December 12, amended, read third time and passed. February 7, concurred in senate amendment. February 8, enrolled and signed. February 11, approved.

By Mr. Lee—

- H. 326. For the preservation of game in Gravilla beat No. 10, in Conecuh county.

November 23, read first, local legislation.

By Mr. McElderry—

- H. 327. To provide for the number of days a hand shall

be required to work on the public roads consecutively.

November 23, read first, public roads and highways. November 27, read second.

By Mr. Pettus (by request),

H. 328. To amend section 1 of an act to authorize a subscription by the State to an index digest of Alabama Reports, approved February 28.

November 23, read first, judiciary. November 27, read second. February 13, read third, lost. February 14, reconsidered, read third and passed. February 28, enrolled, signed and approved.

By Mr. George—

H. 329. To amend sections 1, 2 and 3 of an act to regulate the taking up of stock in districts where stock of any kind is prevented by law from running at large therein in Wilcox county.

November 23, read first, local legislation. November 26, favorably, read second. December 6, read third, passed. February 19, enrolled, signed. February 20, approved.

By Mr. White, of Dallas—

H. 330. To punish the crime of rape and assault with intent to ravish.

November 23, read first, judiciary. November 27, read second.

By Mr. Wiley—

H. 331. To amend section 11 of an act entitled an act to provide for the publication and distribution of the Code of Alabama, approved February 21, 1887.

November 23, read first, fees and salaries. December 1, favorably, read second.

By Mr. Pitts—

H. 332. To amend section 2755 of the Code.

November 23, read first, judiciary. November 27, read second. February 21, read third, passed. February 26, concurred in senate amendment. February 2, vetoed, veto sustained.

By Mr. Stowers—

- H. 333. To prohibit the manufacture of distilled alcoholic liquors in this State.

November 23, read first, temperance. November 27, read second.

By Mr. Williams—

- H. 334. To increase the powers of the corporate authorities of the town of Oxana, in Calhoun county.

November 24, read first, corporations. November 30, adverse.

By Mr. Rattray—

- H. 335. To amend subdivision 9 of section 451 of the Code of Alabama.

November 24, read first, ways and means. November 27, adverse.

By Mr. Summers—

- H. 336. To amend subdivision 9 of section 451 of the Code.

November 24, read first, ways and means. November 27, adverse. February 1, taken up, read second. February 4, tabled.

By Mr. Parker—

- H. 337. To regulate the payment of certificates issued to witnesses appearing before the grand jury, in Elmore county, prior to the passage of the act approved February 23, 1873.

November 24, read first, local legislation. November 27, adverse.

By Mr. Johnson—

- H. 338. To define the line between the counties of Blount and St. Clair.

November 24, read first, counties and county boundaries.

By Mr. Ward—

- H. 339. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or cordials or fruit preserved in alcoholic liquors, within two miles of the town of Kinsey, in all directions, in Headland beat or beat number 6, in Henry county.

November 24, read first, temperance. November 27, read second. November 30, special conference committee. December 5, favorable, substitute 163.

By Mr. Lowe—

H. 340. To authorize corporations organized under the general incorporation laws of the State to alter and amend their charters.

November 24, read first, judiciary. November 27, favorable, read second. December 8, amended, read third, passed. December 12, enrolled, signed, approved.

By Mr. Bradley—

H. 341. To incorporate the town of Millport, in Lamar county, Alabama.

November 24, read first, corporations. December 4, favorable, read second. December 11, amended, read third, passed. February 4, senate amendment concurred in. February 8, enrolled, signed. February 13, approved.

By Mr. Cunningham—

H. 342. To authorize the commissioners court of Lauderdale county to issue bonds of the said county to an amount not exceeding twenty thousand dollars, for the purpose of enabling the said court to erect such iron bridges in said county as said county may deem necessary.

November 24, read first, judiciary. November 27, read second.

By Mr. Kyle—

H. 343. To amend section 1298 of the Code of Alabama.

November 24, read first, revision of laws. December 7, adverse.

By Mr. Moseley—

H. 344. To provide for the collection of the poll taxes of the several townships or other school districts in this State by the superintendents.

November 24, read first, ways and means. November 27, adverse.



- H. 345. To amend an act approved February 1st, 1872, entitled an act to amend an act to incorporate the female institute of the Tennessee Annual Conference of the Methodist Episcopal Church at Athens, Alabama.

November 24, read first, revision of laws. December 7, favorably, read second. December 11, substitute adopted, read third and passed. February 8, enrolled and signed. February 11, approved.

- H. 346. To amend section 1754 of the Code.

November 24, read first, revision of laws. November 27, adverse. February 5, taken up, read second.

By Mr. Walker—

- H. 347. For the better maintenance of the public schools throughout the State.

November 24, read first, education. January 31, favorably, read second, special order February 7, after journal, 200 copies ordered printed. February 7, read third and lost.

By Mr. Woolf—

- H. 348. To regulate the payment and disbursement of fines and costs in criminal cases.

November 24, read first, judiciary.

By Mr. Ledyard—

- H. 349. To authorize the Mobile Street Railway Company to establish and operate one or more public parks or gardens at the places therein designated, and to provide for the protection of the employees and visitors while thereat or going to or returning therefrom.

November 24, read first, commerce and common carriers. November 27, favorably, read second. February 19, read third and passed. February 28, enrolled and signed, approved.

By Mr. Lewis—

- H. 350. To amend section 3398 of the Code.

November 24, read first, judiciary. November 27, adverse.

- H. 351. To amend section 2134 of the Code.

November 24, read first, judiciary. November 27, favorably, read second.

H. 352. To amend section 2081 of the Code.

November 24, read first, judiciary. November 27, favorably, read second.

By Mr. Fitzpatrick—

H. 353. To incorporate the Montgomery and Sylacauga Railroad Company.

November 24, read first, commerce and common carriers. November 27, favorably, read second.

H. 354. To amend section 984 of the Code.

November 24, read first, education. February 9, favorably, read second.

By Mr. Darby—

H. 355. To amend section 141 of the Code.

November 24, read first, ways and means. November 29, adverse. February 14, taken up, read second.

By Mr. McElderry—

H. 356. To create a board of supervisors of the public schools of this State.

November 24, read first, education. November 30, adverse.

By Mr. Webb—

H. 357. To amend an act approved February 22, 1887; relates to an appropriation for the State Agricultural Society.

November 24, read first, appropriations.

By Mr. Wiley—

H. 358. To amend section 234 of the Code.

November 24, read first, fees and salaries. December 4, favorably, read second.

By Mr. Lay—

H. 359. To require justices of the peace to furnish itemized bills of costs to suitors.

November 24, read first, judiciary. November 27, read second. February 8, read third, passed.

February 25, enrolled and signed. February 26, approved.

- H. 360. To prescribe the civil jurisdiction and regulate the practice in civil cases of the city court of Mobile county.

November 24, read first, judiciary. November 27, favorably, read second. December 6, read third, passed. December 12, enrolled and signed, approved.

By Mr. Hundley—

- H. 361. To amend section 1915 of the Code.

November 24, read first, judiciary. November 27, adverse.

By Mr. Hardy (by request)—

- H. 362. To amend section 41 of the Revenue Law, approved February 17, 1885, Acts 1884-5, § 41, p. 37.

November 26, read first, ways and means. December 1, adverse.

By Mr. Richardson—

- H. 363. To consolidate the offices of county superintendent of education and county treasurer of Franklin county.

November 26, read first, education. December 5, adverse.

By Mr. Porter, (by request)—

- H. 364. To amend section 4883 of the Code, so far as the same relates to Jefferson county.

November 26, read first, fees and salaries  
November 30, read second.

(By request)—

- H. 365. To amend sections one and two of an act entitled an act to amend section 1630 and subdivision two of section 1649 of the Code, and sections one and four of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the working of the public roads of said county, approved February 14, 1885.

November 26, read first, public roads and

highways. November 30, favorably, read second. December 7, read third, passed. December 12, enrolled, signed, approved.

(By request)—

H. 366. To repeal section 4452 of the Code, so far as the same relates to Jefferson county.

November 26, read first, judiciary. November 28, adverse.

(By request)—

367. For the relief of Wm. P. Hickman, late county treasurer of Jefferson county.

November 26, read first, ways and means. December 4, adverse. February 1 taken up, read second. February 7, read third, passed. February 16, enrolled and signed. February 20, approved.

(By request)—

H. 368. To amend section 521 of the Code, so far as the same relates to Jefferson.

November 26, read first, ways and means.

(By request)

H. 369. To amend section 3024 of the Code of Alabama, so far as the same relates to Jefferson county.

November 26, read first, judiciary. November 28, favorably, read second. January 2, amended, read third, passed. February 15, enrolled and signed. February 19, approved.

(By request)

H. 370. Fixing and prescribing the compensation to be paid the county treasurer of Jefferson county.

November 26, read first, judiciary. November 28, favorably, read second. January 29, read third and passed. February 8, enrolled and signed. February 11, approved.

(By request)—

H. 371. To amend section three of an act entitled an act to amend section 1630 of the Code, so far as the same relates to the county of Jefferson, and otherwise regulate the workings of the public roads in said county, approved February 23, 1883.

November 26, read first, public roads and highways. November 30, favorably, read second. December 7, read third and passed. December 12, enrolled and signed. December 12, approved.

(By request)—

H. 372. To authorize the court of county commissioners of Jefferson county to issue bonds of said county to an amount not exceeding two hundred thousand dollars for the purpose of completing the court house, and for the purpose of paying for additional ground upon which to build said court house, and for the purpose of building an addition to the jail for said county.

November 26, read first, judiciary. November 28, favorably, read second. December 11, read third and passed. February 4, concurred in senate amendments. February 6, enrolled, signed. February 7, approved.

(By request)—

H. 373. To authorize the court of county commissioners of Jefferson county to have made a book to contain all local and special laws relating to said county, and showing the different precinct lines, the commissioners' districts, the public dirt roads, the railroads, streams and such other matters and things of local interest and importance, as they may deem proper, in said county.

November 26, read first, judiciary. November 28, favorably, read second. January 29, read third, passed. February 12, enrolled and signed. February 15, approved.

H. 374. To divide the State of Alabama into five chancery divisions.

November 26, read first, judiciary. December 4, favorably, read second.

By Mr. Bradley—

H. 375. To amend section 1398 of the Code, so far as the same relates to Lamar county.

November 26, read first, public roads and highways. December 4, favorably, read second.

By Mr. Ledyard—

H. 376. To require security for costs in divorce suits in the chancery courts of Alabama.

November 26, read first, revision of laws. December 4, favorably, read second.

By Mr. Lay—

H. 377. To repeal an act entitled an act to provide a more efficient remedy in cases of unlawful entry and detainer in the city of Mobile, approved March 3, 1848.

November 26, read first, revision of laws.  
December 7, favorably, read second.

By Mr. Longshore—

H. 378. To provide for the election of the county superintendent of education by a vote of the people of Shelby county.

November 26, read first, education. February 11, adverse.

By Mr. Maddox, (by request)—

H. 379. To confer on courts of chancery in this State authority to appoint receivers of insolvent trader or traders, and insolvent corporations, other than municipal, and to provide for the distribution of the assets of such insolvent persons or corporations among the creditors thereof.

November 26, read first, revision of laws. December 7, adverse.

By Mr. Webb—

H. 380. To provide for the working of the public roads in the county of Talladega.

November 26, read first, public roads and highways. November 30, favorably, read second. January 29, substitute adopted, read third, passed. February 12, enrolled, signed. February 14, approved.

By Mr. Carter—

H. 381. To regulate the taking up and impounding of stock owned by parties residing in non-stock districts of Pike county, that may be taken up in stock districts of Pike and adjoining counties.

November 26, read first, local legislation. November 30, favorably, read second. January 31, continuing special order for 5 p. m. to-day. January 31, read third, passed. February 13, concurred in senate amendments, enrolled, signed. February 20, approved.



By Mr. Porter, (by request)—

- H. 382. To regulate the fees of the judge of probate in the matter of exemption to widows and minor children, so far as the same relates to Jefferson county.

November 26, read first, judiciary. November 28, favorably, read second.

By Mr. Dupree—

- H. 383. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within three miles of the Baptist and Methodist churches, in the town of Daviston, Tallapoosa county, Alabama.

November 26, read first, temperance. November 30, favorably, read second.

By Mr. McElderry, (by request)—

- H. 384. To regulate the fees of the judge of probate of Jefferson county for recording maps and plots of land divided into town lots, and for making transcripts of the same.

November 26, read first, corporations. November 30, read second.

By Mr. Porter, (by request)—

- H. 385. To amend section 3217 of the Code of Alabama, so far as the same relates to Jefferson county.

November 26, read first, revision of laws. December 7, favorably, read second.

(By request)—

- H. 386. To amend section 3947 of the Code of Alabama, so far as the same relates to Jefferson county.

November 26, read first, revision of laws. December 7, adverse report. February 12, taken up, read second. February 13, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Wade--

- H. 387. To incorporate the Gadsden Female Institute, in the city of Gadsden, Alabama.

November 26, read first, public roads and highways. December 4, favorably, read second. De-

cember 10, read third, passed. February 8, enrolled, signed. February 11, approved.

By Mr. White of Geneva—

- H. 388. To repeal an act entitled an act to repeal section 4031 of the Revised Code, so far as it relates to the county of Geneva, and to revive and re-enact said section 4031 of the Revised Code.

November 26, read first, judiciary. November 28, favorably, read second.

- H. 389. To repeal section 13 of an act entitled an act to incorporate the town of Eunnola, in Geneva county, Alabama, approved February 17, 1885.

November 26, read first, public roads and highways. November 30, favorably, read second. February 13, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Johnson—

- H. 390. To amend section 3075 of the Code.

November 26, read first, revision of laws. December 7, favorably, read second. February 2, read third, passed.

By Mr. Shorter—

- H. 391. To amend section 3685 (5030) of the Code, so far as applies to Barbour county.

November 26, read first, judiciary. November 28, favorably, read second. January 30, read third, passed. February 25, concur in senate amendment, enrolled, signed. February 28, approved.

By Mr. McLeod—

- H. 392. To amend section 1414 of the Code of Alabama.

November 26, read first, revision of laws. February 12, adverse report.

- H. 393. To establish a branch agricultural experiment station at Jackson, Alabama.

November 26, read first, to agriculture. December 4, adverse.

By Mr. Knight—

- H. 394. To exempt to depositors any money to the extent of three hundred dollars, deposited in any savings

bank or savings institution of this State, from any legal process for the enforcement of any debt due by such depositor.

November 26, read first, judiciary. November 28, adverse report.

By Mr. Woolf—

H. 395. To amend an act approved the 18th day of February, 1887, to establish a separate school district, to be known as the Aimwell school district, Marengo county.

November 26, read first, education. February 9, favorably, read second. February 19, incorporated in senate bill 395.

H. 396. To punish forfeiture of bail bonds.

November 26, read first, judiciary. November 28, adverse report.

By Mr. Ledyard—

H. 397. To amend paragraph numbered fifteen of section 629 of the Code of Alabama.

November 26, read first, revision of laws. December 7, favorably, read second.

By Mr. Johnson—

H. 398. To repeal the incorporation of the town of Blount Springs, and the town of Broken Arrow, in St. Clair county.

November 27, read first, judiciary. November 30, read second. December 7, read third and passed. December 8, reconsidered, read third and passed. February 23, concurred in senate amendment. February 25, enrolled and signed. February 28, approved.

By Mr. Denson—

H. 399. To relieve Wm. E. Jones of Chambers county, Alabama, from the disabilities of non-age.

November 27, read first, judiciary. November 30, adverse report. November 30, taken from adverse report, read second. February 18, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Wade—

- H. 400. To repeal an act to establish a State normal school for the education of white male and female teachers at Troy, Pike county, Alabama.

November 28, read first, education. February 11, adverse report.

- H. 401. To repeal an act entitled an act to establish a normal school at Jacksonville, Calhoun county, Alabama, for the education of white male and female teachers.

November 27, read first, education. February 11, adverse report.

- H. 402. To repeal an act entitled an act to establish a State normal school at Livingston, Sumter county, Alabama, for the education of white male and female teachers.

November 27, read first, education. February 11, adverse report.

- H. 403. To repeal an act entitled an act to establish a State normal school at Huntsville, Madison county, for the education of colored male and female teachers.

November 27, read first, education. February 11, adverse report.

- H. 404. To repeal an act entitled an act to establish a normal school for the education of white male and female teachers at Florence, Lauderdale county, Alabama.

November 27, read first, education. February 11, adverse report.

- H. 405. To repeal an act entitled an act to establish a normal school for the education of colored male and female teachers at Tuskegee, Macon county, Alabama.

November 27, read first, education. February 11, adverse report.

By Mr. Knight—

- H. 406. To create a lien for advances to make crops in Hale county.

November 27, read first, local legislation. December 5, favorably, read second.

By Mr. Benners—

- H. 407. To amend section 3090 of the Code.

November 27, read first, judiciary. November 30, favorably, read second.

By Mr. Lowe—

H. 408. To empower the constable of Bessemer precinct No. 33, in Jefferson county, to appoint deputies.

November 27, read first, judiciary. November 30, favorably, read second.

(By request),

H. 409. To amend the charter of the Peoples' Savings Bank, a corporation organized in the county of Jefferson, under the general laws of the State of Alabama, so as to change its name to the Peoples' Savings Bank and Trust Company, and so as to confirm in said corporation, under the name of the Peoples' Savings Bank and Trust Company, all the rights, powers and privileges that were vested in it under the name of the Peoples' Savings Bank, and so as to enlarge the powers, rights, franchises and privileges of said corporation.

January 30, read first, corporations. February 1, favorably, read second.

By Mr. Porter (by request)—

H. 410. To amend an act to authorize and empower street railroads to purchase and condemn property for the purpose of constructing, maintaining and operating street railroads in the same manner as now provided by law for taking private property for railroads and other public uses, approved December 10, 1886, and to allow said street railroad companies to use steam or electric power or mechanical power or animals, as they may deem expedient.

November 27, read first, commerce and common carriers. December 10, favorably with substitute, read second. December 12, substitute adopted, read third, passed. February 25, enrolled, signed. February 28, approved.

By Mr. Bradley—

H. 411. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks or bitters, or fruits preserved in al-

coholic liquors within four miles of the church and Masonic hall at Fernbank, on the Georgia Pacific railroad, in Lamar county.

November 27, read first, temperance.

By Mr. Walker (by request)—

H. 412. To amend section 3049 of the Code, relating to blacksmith's lien on property repaired.

November 27, read first, judiciary. November 30, adverse.

By Mr. McLendon (by request)—

H. 413. To repeal section 4072 of the Code of Alabama, relating to selling bread without the baker's name stamped thereon, so far as the same relates to Montgomery and Pike counties.

November 27, read first, judiciary. November 30, adverse.

By Mr. Arrington—

H. 414. To provide a less expensive mode for the registration of chattel mortgages.

November 27, read first, judiciary. December 4, adverse. December 10, taken up, read second.

By Mr. Clements—

H. 415. To prevent hunting and fishing on lands after the owner thereof shall have forbidden the same by notice posted on land or by publication in a newspaper.

November 27, read first, revision of laws. December 7, adverse. February 1, taken up, read second. February 16, amended, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Miller—

H. 416. To change a part of the boundary line between Wilcox and Monroe counties.

November 27, read first, counties and county boundaries. February 7, favorably, read second. February 8, read third, lost.



By Mr. White, of Dallas—

H. 417. To provide for the publication of the acts of the present session of the general assembly.

November 27, read first, public printing. February 4, favorably, amendment, read second. February 13, read third, passed. February 23, concurred in senate amendment. February 25, enrolled, signed. February 26, approved.

By Mr. Stansel—

H. 418. To amend section 7 of an act entitled an act to incorporate Howard College, approved December 29, 1841.

November 27, read first, revision of laws. December 6, favorably, read second.

By Mr. McRee—

H. 419. To elect the county board of commissioners and the superintendents of education of Lowndes county by the qualified electors of said county.

November 27, read first, local legislation. December 30, favorably, read second. February 9, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Webb (by request)—

H. 420. To amend an act entitled an act to make an annual appropriation for the benefit of the State agricultural society.

November 27, read first, agriculture. December 10, favorably, read second. January 31, special order for to-morrow after journal. February 1, read third, passed. February 26, enrolled, signed, approved.

By Mr. Ledyard—

H. 421. To make an appropriation for the expenses of encampment of Alabama State Troops for the years 1889 and 1890.

November 27, read first, military. December 1, favorably, read second. January 31, read third, passed. February 16, enrolled, signed. February 20, approved.

By Mr. Shorter—

H. 422. To authorize the tax assessor of Barbour county to keep his books at Eufaula.

November 27, read first, local legislation. November 30, favorably, read second. February 1, read third, passed. February 12, enrolled, signed. February 15, approved.

By Mr. Wiley—

H. 423. To prohibit the taking up or bearing arms by any person or persons, or body of men in a military capacity, unless authorized by law.

November 28, read first, military. December 1, favorably, read second. February 10, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Tatum—

H. 424. To amend section 4887 of the Code.

November 28, read first, revision of laws. December 7, adverse.

By Mr. Higgins—

H. 425. To amend section 143 of the Code.

November 28, read first, agriculture. December 4, favorably, read second. February 4, amended, read third, passed. February 25, concurred in senate amendment. February 26, enrolled, signed. February 28, approved.

By Mr. Davie—

H. 426. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, within two and a half miles of Barker's church in Star Hill beat, or beat eight, in Barbour county.

November 28, read first, temperance.

By Mr. Dark—

H. 427. To amend section 4895 of the Criminal Code of Alabama.

November 28, read first, revision of laws. December 7, adverse report.

By Mr. Simmons—

- H. 428. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Shelby, Walker, Baker, DeKalb, Cleburne, Marshall, Winston, Franklin, Coosa, Marion, Jefferson, St. Clair, Geneva, Covington, Bibb, Coffee, Dale and Lawrence, approved March 3, 1870, so far as the same relates to coffee county.

November 28, read first, local legislation. December 5, favorably, read second. February 4, read third, passed. February 9, concurred in senate amendments. February 12, enrolled, signed. February 14, approved.

By Mr. Maddox—

- H. 429. To dissolve garnishments in certain cases on the defendant's giving bond and security for the payment of the judgment or debt or demand sued on.

November 28, read first, judiciary.

- H. 430. To amend section 1 of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clark, Green, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same relates to Mobile and Baldwin counties.

November 28, read first, local legislation. December 5, favorably, read second. February 19, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Wade—

- H. 431. To relieve tax payers from taxation on real or personal property to the amount of their indebtedness thereon.

November 28, read first, judiciary. December 4, adverse report.

By Mr. Johnson—

- H. 432. To protect laborers and persons who furnish materials for the construction of railroads.

November 28, read first, commerce and com-

mon carriers. February 1, favorably, read second. February 18, read third, passed.

By Mr. George—

H. 433. To declare void and of no force the sale of land for taxes made by the tax collectors in this State previous to the first day of January, 1881, where such lands were bid in for the State and have not been redeemed by the owners or other persons entitled, under the laws of this State, to redeem such lands, or that have not been sold or transferred by the State under any law governing the sale or transfer of lands sold for taxes, and to remise, release and quit claim all the title of the State therein to the owner thereof.

November 28, read first, ways and means. December 1, favorably, read second. December 7, read third, passed. February 12, enrolled, signed. February 19, approved.

By Mr. Darby—

H. 434. To amend section 4 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887, so far as the same relates to the county of Pike.

November 28, read first, local legislation. December 5, read second. January 29, read third, passed. February 12, enrolled, signed. February 15, approved.

By Mr. Carter—

H. 435. To establish a county criminal court in Pike county, and to regulate the trials, fines, forfeitures and costs in cases of misdemeanors in said Pike county.

November 28, read first, local legislation. December 4, returned and referred to judiciary. December 10, favorably, read second. February 11, amended, read third, passed. February 20, concurred in senate amendment. February 21, enrolled, signed. February 26, approved.

By Mr. Lendon—

H. 436. To provide for the study of scientific temperance by the pupils in the public schools of Alabama.

November 28, read first, education. February 9, favorably, read second.

By Mr. Adams—

H. 437. To prohibit any corporation created and organized under the laws of this State, for purchasing stock of another for the purpose of defeating competition or creating a monopoly.

November 28, read first, judiciary. December 4, adverse report. December 10, taken up, read second.

By Mr. Nelson—

H. 438. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate court of the State.

November 28, read first, judiciary. December 4, adverse report. December 7, taken from adverse, read second. December 8, read third, passed. February 16, enrolled, signed. February 25, approved.

By Mr. Rattray (by request—)

H. 439. To provide a stenographer for the courts of this State, and to prescribe his duties and fees.

November 28, read first, judiciary. December 4, adverse report.

H. 440. To require each judge of the supreme court to personally examine and read the record in all cases before that court.

November 28, read first, judiciary. February 7, adverse.

By Mr. Clements—

H. 441. To amend sections 1 and 7 of an act approved February 22, 1888, to authorize the issues of the bonds of the State to the amount of nine hundred and fifty four thousand dollars, for the purpose of paying, taking up and cancelling the bonds of the State, leaving six per cent. per annum issued under an act approved February 13, 1879, to provide for funding the domestic debt of the State.

November 28, read first, revision of laws. December 7, favorably, read second. February

15, read third, passed. February 25, concurred in senate amendment. February 26, enrolled, signed. February 28, approved.

H. 442. In relation to trials of misdemeanors in Winston county.

December 28, judiciary. February 26, adverse.

By Mr. White of Dallas—

H. 443. To declare certain sales to creditors a general assignment.

November 30, read first, judiciary. December 4, favorably, read second.

By Mr. Pratt—

H. 444. To confer jurisdiction on justices of the peace to try cases under sections 4081, 4082, 4083, 4084 and 4085 of the Code.

November 30, read first, public health. December 4, adverse.

By Mr. Shorter, (by request)—

H. 445. To require parties living in the stock law districts in Bullock county to keep up a lawful fence along the line between Barbour and Bullock counties.

November 30, read first, local legislation. December 5, favorably, read second, recommit-  
ted to agriculture. December 7, adverse.

By Mr. Denson—

H. 446. To fix the price of license to be paid for State and county purposes by any person who applies for licenses to retail or wholesale vinous, spirituous or malt liquors in any part of beat No. 8, in Chambers county, Alabama.

November 30, read first, judiciary. December 4, favorably, read second. December 8, read third and passed. December 11, senate amendments concurred in, enrolled, signed. December 12, approved.

H. 447. To prescribe the mode and time of advertising property for sale, levied on under executions issued on the judgments of justices and notaries public with powers of justices, and attachments



issued by such officers, and to fix the place of sale.

November 30, read first, judiciary. December 6, favorably, read second. December 7, read third and passed. February 16, enrolled and signed. February 23, approved.

By Mr. McLeod, (by request)—

H. 448. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous, or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors in the county of Montgomery outside of the corporate limits and police jurisdiction of the city of Montgomery, except as to store houses in beat 12, in said county known as Downing's Store, or within the town of Leighton in Lawrence and Colbert counties, or in other places therein named, approved February 28, 1887, so far as the same relates to the town of Leighton, in Lawrence and Colbert counties.

November 30, read first, temperance. February 28, adverse.

By Mr. Lee—

H. 449. To regulate the trial of misdemeanors in Conecuh county.

November 30, read first, local legislation. December 5, favorably, read second. December 7, read third, lost.

H. 450. To amend section 1396 of the Code.

November 30, read first, local legislation. December 7, favorably, read second.

H. 451. To amend section 1428 of the Code.

November 30, read first, local legislation. December 7, favorably, read second. February 21, read third. February 28, enrolled, signed, approved.

By Mr. Brown—

H. 452. To repeal an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring or other disposition of spirituous, vinous or malt liquors, or any intoxicating bit-

ters or mixtures within five miles of Goodwater Academy, Coosa county, and in the county of Butler, except beat 12, in said county, approved February 19, 1887, so far as said act applies to Goodwater Academy in Coosa county.

November 30, read first, local legislation. December 12, favorably, read second. February 4, read third, lost.

By Mr. Macill—

H. 453. To change boundary lines between the counties of Covington and Crenshaw in this State.

November 30, read first, county and county boundaries. February 1, favorably, read second.

By Mr. Pettus, (by request)—

H. 454. To amend section 3839 of the Code.

November 30, read first, revision of laws. December 7, favorably, read second.

By Mr. Lay—

H. 455. To authorize the mayor and general council of the city of Mobile to license and regulate the use of mechanical motors upon streets and suburban railways within the city limits.

November 30, read first, ways and means. December 4, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. McElvey—

H. 456. To make inoperative section 3069 of the Code, so far as the same relates to the goods, furniture and effects belonging to tenants of dwelling houses in the town of Brownville, Lee county, Alabama.

November 30, read first, local legislation. December 7, adverse.

By Mr. Knight—

H. 457. To authorize the mayor and councilmen of the town of Greensboro to issue bonds to take up the outstanding indebtedness of said town, and provide sewerage and water for said town.

November 30, read first, corporations. January 31, favorably, read second. February 7 read third, passed. February 16, enrolled and signed. February 20, approved.

By Mr. Clark—

H. 458. To repeal sub-division 31 of section 629 of the Code, so far as relates to Marion county.

November 30, read first, local legislation. December 5, adverse.

By Mr. White of Dallas—

H. 459. To amend section 10 of an act entitled an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the City of Selma, and establish a local government therefor.

November 30, read first, judiciary. December 7, favorably, read second. December 8, read third, passed. February 5, enrolled and signed. February 6, approved.

By Mr. Porter—

H. 460. For the relief of A. J. Tarrant, late tax assessor of Jefferson county, Alabama.

November 30, read first, judiciary. December 4, favorably, read second. January 30, read third and passed. February 8, enrolled and signed. February 11, approved.

By Mr. Lowe—

H. 461. For the relief of W. J. Mims, late tax collector of Jefferson county.

November 30, read first, judiciary. December 4, favorably, read second. December 11, read third, passed. February 12, enrolled and signed. February 19, approved.

H. 462. To amend an act to establish the city court of Birmingham, approved December 9, 1884.

November 30, read first, judiciary. December 4, favorably, read second. February 21, amended, read third and passed. February 28, enrolled, signed and approved.

By Mr. Cunningham—

- H. 463. To appropriate the sum of \$33,119.90, the proceeds of the two and three per cent. funds, now in the treasury, for the improvement of the public roads in the State.

November 30, read first, ways and means.  
February 9, adverse.

(By request)—

- H. 464. To change the name of the Huntsville and Nashville railroad company, and for other purposes.

November 30, read first, ways and means. February 9, adverse.

By Mr. NeSimth (by request) —

- H. 465. To allow persons over the age of twenty-one years to practice law in the courts of justices of the peace and notaries public, in the county of Lawrence.

November 30, read first, revision of laws. December 7, adverse.

By Mr. Coleman—

- H. 466. To repeal the act entitled an act to amend an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto.

November 30, read first, education. January 31, favorably, read second. February 11, made continuing special order for 12th. February 12, recommitted to judiciary. February 26, adverse.

By Mr. Cochrane (by request)—

- H. 467. To repeal the act entitled an act to require all trains on railroads in this State carrying passengers to stop at the telegraph station now existing, or hereafter established, nearest or most accessible, to be determined by the railroad commission, to the county seat of each county through which the railroad, or any part thereof, may pass, for receiving and discharging passengers, approved February 20, 1887.

November 30, read first, commerce and common carriers. December 7, favorably, read second.

By Mr. Ledyard—

- H. 468. To provide for the better policing of Frascati Park, in the city of Mobile, and its environs, and for the better protection of visitors thereto.

November 30, read first, revision of laws. February 13, favorably, read second. February 19, read third, passed. February 28, enrolled, signed and approved.

By Mr. Fitzpatrick—

- H. 469. To fix the compensation of the tax assessor of Montgomery county.

November 30, read first, ways and means. December 4, favorably, read second. December 7, read third and passed. January 31, senate amendments concurred in. February 2, enrolled and signed. February 6, approved.

By Mr. Lewis—

- H. 470. To amend section one of an act entitled an act to fix the compensation of the tax assessor of Mobile county, approved February 28, 1887.

November 30, read first, revision of laws. December 6, favorably, read second, special order after journal, February 8. February 8, read third, passed. February 21, concurred in senate amendments, enrolled, signed and approved.

By Mr. Parker—

- H. 471. To allow the sheriff of Elmore county the same compensation for executing process of any kind in the justice of the peace court as is now allowed by law for the same service in the circuit court.

November 30, read first, local legislation. December 5, adverse.

By Mr. Bogart—

- H. 472. To repeal an act entitled an act to provide for the more efficient working of the public roads in Jackson county, approved February 17, 1885.

November 30, read first, public roads and highways. December 4, favorably, read second. February 7, read third, passed. February 15, signed. February 19, approved.

By Mr. Files—

- H. 473. To confer upon the justices of the peace in Fayette county the same jurisdiction, and to require of the performance of the same duties in regard to misdemeanors, as is now exercised by the county court of said county, in reference to the trial of misdemeanors, and that they shall receive the same fees therefor.

November 30, read first, judiciary. December 4, adverse. December 10, taken up, read second. February 12, read third, passed.

By Mr. Clements—

- H. 474. To amend section 2 of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

November 30, read first, revision of laws. December 7, favorably, read second.

By Mr. Carter—

- H. 475. To prohibit fraud in the sale of boots and shoes.

November 30, read first, revision of laws. December 7, favorable, read second.

By Mr. Shorter—

- H. 476. To amend section 463 of the Code.

November 30, read first, ways and means. December 4, adverse. February 4, recommitted to ways and means. February 6, adverse.

By Mr. Webb (by request)—

- H. 477. To amend the charter of Talladega College, Talladega, Alabama.

November 30, read first, education. December 5, read second. February 16, read third, passed. February 28, enrolled, signed, approved.

- H. 478. To empower the court of county commissioners of Talladega county to grant petitions made by two or more persons owning farms adjoining to build outside fences and gates in non-stock law districts for their mutual protection, in Talladega county.

November 30, read first, revision of laws. December 7, favorably, read second. February 7, amended, read third, passed. February 25, enrolled, signed. February 28, approved.



By Mr. NeSmith—

H. 479. To amend section 1319 of the Code.

December 1, read first, temperance. December 4, favorably, amended, read second. February 7, amended, read third, passed. February 28, enrolled, signed, approved.

By Mr. Maley—

H. 480. To prevent stock from running at large in beat 7, in Chambers county.

December 1, read first, local legislation. December 7, adverse. January 1, recommitted to local legislation. February 6, favorably, read second. February 11, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Denson—

H. 481. To authorize the governor to settle with David G. Allen, one of the sureties upon the bond of Isaac H. Vincent, late State treasurer.

December 1, read first, ways and means. December 4, adverse, taken up, read second. January 30, recommitted to ways and means. February 2, adverse. February 6, taken up, read second. February 15, amended, read third, passed. February 23, enrolled, signed. February 28, approved.

By Mr. Lee—

H. 482. To require probate judges to provide blank forms of deeds, mortgages and crop liens for use in their respective counties, and record books in conformity therewith, and to regulate the fees to be charged therefor.

December 1, read first, local legislation. December 10, favorably with substitute, read second. February 4, substitute amended, read third, passed. February 12, enrolled, signed. February 16, approved.

By Mr. Billingslea—

H. 483. To prevent the tying or fastening of any live stock within fifty feet of any public road in this State.

December 1, read first, local legislation. December 7, adverse.

By Mr. French—

H. 484. To amend section two of an act entitled an act to amend an act to protect fish in the counties of Madison, Jackson, and Marshall.

December 1, read first, local legislation. December 7, favorably, read second.

H. 485. To regulate the granting of licenses to sell spirituous, vinous or malt liquors in Jackson county.

December 1, read first, temperance. December 4, read second. February 17, read third, went back on calendar.

By Mr. Porter—

H. 486. To amend sections 463 and 529 of the Code.

December 1, read first, ways and means. February 1, favorably, amended, read second. February 2, amendment adopted, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Lowe—

H. 487. To define and regulate the jurisdiction of justices of the peace, and notaries public who are ex-officio justices of the peace, in precincts 21 and 37, and in the wards of the city of Birmingham, in Jefferson county, in said State, and to regulate their fees.

December 1, read first, judiciary. December 4, favorably, read second. January 30, read third, passed. January 31, reconsidered. February 4, amended, read third, passed. February 15, enrolled, signed. February 19, approved.

H. 488. To authorize the constables of the precincts of Jefferson county, Alabama, to appoint deputies, and to regulate the service of process from justice court by such constables and their deputies.

December 1, read first, judiciary. December 4, favorably, read second.

By Mr. Shorter—

H. 489. To authorize the registration of claims of justices of the peace, and notaries public who are ex-officio justices of the peace, and constables against the fine and forfeiture fund of Barbour county, and to require the treasurer to pay the same.

December 1, read first, local legislation. December 5, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

- H. 490. To amend the act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882.

December 1, read first, local legislation. December 5, favorably, read second. January 29, read third, passed. February 6, enrolled, signed. February 7, approved.

By Mr. Bush, (with petition)—

- H. 491. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within three miles of Pea River Presbyterian church, in Barbour county.

December 1, read first, temperance.

By Mr. Cornelius—

- H. 492. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors within five miles of Union Chapel church in township 14, range 6, west, in Walker county, Alabama.

December 1, read first, temperance. Embraced in general prohibition bill.

By Mr. Hogue—

- H. 493. To repeal an act repealing an act to authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

December 1, read first, revision of laws.

By Mr. Barnett, (by request)—

- H. 494. For the protection of the health of female employees engaged in commercial pursuits.

December 1, read first, public health. December 5, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Pettus—

H. 495. To amend and ratify the charter of the Selma Land Improvement and Furnace Company.

December 4, read first, judiciary. December 6, favorably, read second. December 7, tabled.

By Mr. Johnson—

H. 496. To repeal an act entitled an act to constitute the town of Blountsville and vicinity in Blount county a separate school district, approved February 5, 1885.

December 5, read first, education. December 10, favorably, read second. February 23, read third, passed.

By Mr. Mancill—

H. 497. To establish a chancery district composed of the county of Covington.

December 5, read first, judiciary. December 10, favorably, read second. February 4, amended, read third, passed. February 20, enrolled, signed. February 25, approved.

By Mr. Tatum—

H. 498. To provide for inspectors of records of county offices.

December 5, read first, judiciary. December 12, adverse.

By Mr. Kemp—

H. 499. To fix the time and place of holding the chancery court in Monroe county.

December 5, read first, judiciary. December 7, favorably, read second. December 12, read third, passed. February 8, enrolled and signed. February 11, approved.

By Mr. Benners—

H. 500. To create the office of county solicitor for the county of Hale, to provide for the appointment of such county solicitor, and to prescribe his powers and duties.

December 5, read first, judiciary. December 10, favorably, read second. February 7, read

third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Lee—

H. 501. For the relief of Mrs. Mary Johnson of Conecuh county.

December 5, read first, local legislation. December 12, favorably, read second. February 12, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. King—

H. 502. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of, or the aiding or assisting any one to sell, give away or otherwise dispose of, or procure any vinous, spirituous or malt liquors, or intoxicating bitters, beverages or fruits preserved in alcoholic liquors, in the county of Butler, so far as the same shall apply to the corporate limits of the city of Greenville, in said county of Butler.

December 5, read first, temperance.

By Mr. White of Dallas—

H. 503. To authorize appeals in certain cases *in forma pauperis*.

December 5, read first, revision of laws. December 7, favorably, read second.

By Mr. Williams—

H. 504. To establish a city court for the city of Anniston, Alabama.

December 5, read first, judiciary. January 30, favorably, read second. January 31, continued special order for to-morrow 4 p. m. February 1, amended, read third, passed. February 16, conference committee. February 16, committee report concurred in. February 20, signed. February 25, approved.

H. 505. For the preservation of game animals and birds in the county of Calhoun.

December 5, read first, local legislation. December 7, adverse. February 5, taken up, read second.

- H. 506. To amend an act entitled an act to incorporate the town of Anniston, Calhoun county, Alabama, approved February 4, 1879, and the various acts amendatory thereof.

December 5, read first, corporations. February 15, favorably, read second. February 12, read third, passed. February 21, enrolled and signed. February 25, approved.

By Mr. Lay—

- H. 507. To require all insurance companies not organized under the laws of this State to pay a uniform license tax of one hundred dollars per annum into the State treasury for the privilege of doing business in this State, approved February 28, 1887.

December 5, read first, ways and means. December 6, favorably, read second. December 7, read third, passed.

- H. 508. To amend section 1761 (2098) of the Code of Alabama.

December 5, read first, judiciary. January 30, favorably, read second. February 19, read third, passed. February 26, enrolled and signed. February 28, approved.

- H. 509. To deprive the probate courts of jurisdiction, to decree the sale of lands of an estate for distribution among the heirs or devisees at the suit of the administrator or executor.

December 5, read first, judiciary. December 7, adverse.

By Mr. Pitts—

- H. 510. To regulate the ballot and manner of voting in elections in this State.

December 5, read first, privileges and elections.

By Mr. Simmons (by request)—

- H. 511. To authorize Josephine S. Mizell, widow of the late H. H. Mizell, deceased, to sell the homestead set aside to her and George Mizell, Franklin Mizell, Lena Mizell and Charles Mizell, as the widow and minor children of the said H. H. Mizell, deceased.

December 5, read first, judiciary. December 7, adverse.



- H. 512. To amend an act entitled an act to create a separate school district in Coffee county and define the boundaries thereof, approved December 11, 1886.

December 5, read first, education. December 10, favorably, read second. February 18, read third, passed. February 28, enrolled, signed, approved.

By Mr. Stansel—

- H. 513. To regulate the practice on references before registers in Chancery.

December 5, read first, revision of laws. December 7, favorably, read second.

- H. 514. To amend section 3624 of the Code.

December 5, read first, revision of laws. December 10, favorably, read second.

By Mr. Winston—

- H. 515. For the relief of Lewis R. Powell, of Marshall county.

December 5, read first, revision of laws. December 7, favorably, read second. February 11, read third, passed. February 28, enrolled, signed, approved.

By Mr. Wade—

- H. 516. To repeal an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887, so far as the same relates to the ninth judicial circuit.

December 5, read first, special committee of members ninth circuit. February 4, favorably, read second.

By Mr. Long—

- H. 517. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or beverages, at or within three miles of Mount Zion church at Narrow station, in Winston county.

December 5, read first, temperance.

- H. 518. To amend section 4 of an act entitled an act to divide the State of Alabama into four chancery divi-

sions, approved February 28, 1887, as to the fourteenth and fifteenth districts, northwestern chancery division.

December 5, read first, judiciary. December 12, favorably, read second. February 11, read third, passed. February 25, enrolled, signed. February 28, approved.

- н. 519. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters within three miles on the north-east, south and to the Marion county line west of the Methodist church in the town of Delma, in beat number 2, in Winston county.

December 5, read first, temperance.

By Mr. Hundley—

- н. 520. To amend sections 2877, 2878, 2879 and 2880 of the Code.

December 5, read first, judiciary. December 7, favorably, read second. December 11, read third, passed. February 25, concurred in senate amendments. February 26, enrolled, signed. February 28, approved.

- н. 521. To provide the manner of payment of certain fees allowed sheriffs, as provided under section 4872 of the Code.

December 5, read first, judiciary. December 7, favorably, read second. February 19, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Weaver—

- н. 522. To create a school district in township 8, range 2, west, Morgan county, known as the Lawrence Cove school district, and to incorporate the same.

December 5, read first, education. December 10, favorably, read second. February 19, incorporated in senate 38.

- н. 523. To make Wolfe's beat, Morgan county, Alabama, a school district.

December 5, read first, education. December 10, favorably, read second. February 19, incorporated in senate 38.

By Mr. McElderry—

- H. 524. To repeal an act entitled an act to establish partial stock law districts in Talladega county, so far as the same relates to that part of beat four lying east of range line six, in Talladega county.

December 5, read first, local legislation. December 7, favorably, read second.

By Mr. Webb—

- H. 525. To apply the two and three per cent. fund now on hand to the improvement of the public highways of each county in the State.

December 5, read first, ways and means. February 9, adverse.

By Mr. Webb (by request)—

- H. 526. To require assistant solicitors and county solicitors to reside in the county in which they are required by law to exercise the duties of their respective offices.

December 5, read first, judiciary. February 26, adverse.

By Mr. Longshore—

- H. 527. To amend the charter of the Shelby Iron Company.

December 5, read first, corporations. February 5, favorably, read second. February 18, read third, passed. February 28, enrolled, signed, approved.

- H. 528. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors or intoxicating bitters, within four and one half miles of Oak Grove church, Shelby county, Alabama.

December 5, read first, temperance.

By Mr. Ledyard—

- H. 529. To incorporate the International Naval Academy of Mobile.

December 5, read first, education. February 5, favorably, read second.

By Mr. Porter, (by request)—

- H. 530. To regulate the practice of architecture in the State of Alabama.

December 5, read first, judiciary. December 7, adverse report.

(By request)—

- H. 531. To create a board of education for the city of Bessemer, and to prescribe the powers and duties of the same.

December 5, read first, education. February 1, favorably, read second.

- H. 532. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, within five miles of Williamsburg Baptist Church, in precinct No. 30, in Jefferson county.

December 5, read first, temperance.

(By request)—

- H. 533. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, within precinct No. 17, in Jefferson county.

December 5, read first, temperance.

By Mr. Cunningham—

- H. 534. In regard to the competency of husband and wife in criminal proceedings.

December 5, read first, judiciary. December 30, adverse.

- H. 535. To allow certain evidence in cases of homicide, assault with intent to murder, assault and battery, and assault.

December 5, read first, judiciary.

- H. 536. To incorporate the Western Contract and Construction Company of Alabama.

December 5, read first, judiciary. December 12, favorably, read second. February 7, amended, read third and passed. February 19, enrolled and signed. February 20, approved.

By Mr. Bradley—

- H. 537. To amend section 4530 of the Code of Alabama, so far as the same relates to Lamar county.

December 5, read first, public health. December 7, favorably, read second. February 23, amended, read third, passed. February 28, con-

curred in senate amendment, enrolled, signed, approved.

By Mr. Adams—

H. 538. To repeal an act for the preservation of game animals and birds in the county of Mobile, and other counties named therein, approved, February 13, 1879, so far as the same relates to the county of Bibb.

December 5, read first, local legislation. December 7, favorably, read second.

By Mr. Powell—

H. 539. To protect fish in Macon and Bullock counties.

December 5, read first, local legislation. December 7, adverse report.

By Mr. Watson—

H. 540. To prohibit the sale, giving away, delivery, transfer, parting with, procuring or other disposition of spirituous, vinous or malt liquors or any intoxicating bitters or mixtures, within two miles of Emens' Methodist church, in Crenshaw county.

December 5, read first, temperance.

By Mr. Darby—

H. 541. To amend section one of an act approved February 26th, 1887, which relates to the establishment and support of a State normal school at Troy, Alabama.

December 5, read first, education. February 1, favorably, read second. February 6, read third, passed.

By Mr. Bush—

H. 542. To amend section two of an act (Acts 1882-3), to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

December 5, read first, local legislation. December 7, favorably, read second. February 1, read third, passed. February 15, signed. February 20, approved.

By Mr. Lowe—

H. 543. To authorize the auditor to settle with tax collectors for taxes collected and paid in by them for the year 1887, at the rate of commissions allowed under the law in force at the time of adoption of the Code.

December 5, read first, ways and means. December 7, favorably, read second. December 8, read third, passed. February 12, enrolled, signed. February 19, approved.

By Mr. Wiley—

H. 544. To amend the charter of the city of Montgomery, and the various acts amendatory thereof.

December 5, read first, judiciary. December 10, favorably, read second. February 9, read third, passed. February 26, concur in senate amendment. February 28, enrolled, signed, approved.

By Mr. Lay—

H. 545. To amend sections 19 and 21 of an act entitled an act to amend sections 6, 10, 16, 22, 24, 26, 27, 29, 33, 35, 39, 40, 41, 44, 46, 48, 49, 51, 53, 58, 65, 66, 67, 69, 70, 71, 73, 74, 75, 76, 77, 84, 87, 90, 97, 99, 103, 105, 111, 113, 116, 117, 119, 122, 127, 130, 131, and to repeal sections 43 and 123, of an act entitled an act to provide for the assessment and collection of taxes for the use of the State and counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes, approved February 17, 1885.

December 5, read first, ways and means. December 6, favorably, read second. December 7, read third, passed. February 12, concurred in senate amendments. February 23, enrolled, signed. February 25, approved.

By Mr. Ward—

H. 546. To form a separate school district, to be known as "Baker School District," in Henry county.

December 5, read first, education. December 7, favorably, read second. February 19, incorporated in senate 38.

By Mr. Porter—

H. 547. To regulate the fine and forfeiture fund of Elmore county, Alabama.



December 5, read first, local legislation. December 10, favorably, read second. February 6, read third, passed. February 13, concurred in senate amendments. February 16, enrolled, signed. February 20, approved.

By Mr. Davie—

н. 548. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, in all places in Barbour county, except in incorporated towns having police regulations.

December 5, read first, temperance. December 10, favorably, read second. February 2, incorporated in senate 215.

By Mr. Denson—

н. 549. To constitute the town of Lafayette in Chambers county, a separate school district.

December 6, read first, education. February 9, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Russell, (by request)—

н. 550. To incorporate the town of Benton, in the county of Lowndes.

December 5, read first, corporations. December 7, adverse.

By Mr. Stowers—

н. 551. To exempt certain ministers of the gospel from work on public roads.

December 5, read first, revision of laws. December 7, adverse report.

By Mr. Hogue—

н. 552. To authorize the commissioners court of Perry county to establish or abolish stock districts in said county.

December 5, read first, special committee. December 6, favorably, read second. January 29, read third, passed. February 7, concurred in senate amendment. February 12, enrolled, signed. February 15, approved.

By Mr. Stone—

553. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters, or beverages within the Fairfield beat in Pickens county, Alabama.

December 6, read first, temperance. December 10, favorably, read second. February 2, amended, read third, passed. February 4, reconsidered, amended, read third, passed. February 15, enrolled, signed. February 19, approved.

By Mr. White of Dallas—

H. 554. To make appropriation for the payment of sheriffs for the removal of prisoners for the fiscal year ending September 30, 1887, the appropriation for the purpose named for said year having been exhausted.

December 6, read first, appropriations. December 10, favorably, read second. February 12, read third, passed. February 28, enrolled, signed, approved.

By Mr. Smisson (by request)—

H. 555. For the protection of widows and minor children.

December 6, read first, judiciary. January 30, favorably, read second. February 11, read third, passed. February 28, enrolled, signed, approved.

H. 556. To prohibit the driving of logs, timber, or lumber in that part of Choctawhatchee river in this State below the town of Newton, in Dale county.

December 6, read first, local legislation. December 10, favorably, read second. December 11, read third, passed. February 5, enrolled, signed. February 6, approved.

By Mr. Lay—

H. 557. To amend sub-divisions 2, 3, 5, 6 and 7 of section 454 of the Code of 1886.

December 6, read first, ways and means. December 7, favorably, read second. December 8, amended, read third, passed. February 25, conference committee on senate amendment. February 26, conference report concurred in; motion to reconsider. February 28, reconsider, non-concur,

and conference committee appointed ; adopt second conference report, signed, approved.

By Mr. Shorter, (by request)—

H. 558. To amend the charter of the city of Eufaula.

December 6, read first, corporations. December 7, adverse report.

By Mr. Knight—

H. 559. To amend section 11 of an act entitled an act to better enforce the working of public roads in the counties of Montgomery and Hale, approved February 23, 1883, as amended by an act entitled an act to amend an act to better enforce the working of the public roads in the counties of Montgomery and Hale, approved February 23, 1883, as far as the same relates to Hale county, approved February 12, 1885, so far as the same relates to Hale county.

December 6, read first, local legislation. December 12, favorably, read second. February 13, read third, passed. February 26, committee concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Wade—

H. 560. To amend an act to provide for elections in the counties of Talladega and Cleburne to determine whether or not the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters in Talladega or Cleburne counties shall be prohibited, approved February 28, 1887, so as to apply to the county of Etowah.

December 6, read first, temperance. December 10, favorably, read second.

By Mr. Rattray—

H. 561. To limit the costs taxed in the Supreme Court on appeals.

December 5, read first, judiciary. February 26, adverse.

By Mr. Porter—

H. 562. To constitute the town of Woodlawn a separate school district.

December 6, read first, education. February 9, favorably, read second.

By Mr. Smith—

H. 563. To incorporate the Savannah, Americus and Montgomery Railway, and for other purposes.

December 6, read first, corporations. February 1, favorably, with substitute, read second. February 2, substitute adopted, read third, passed. February 8, enrolled and signed. February 11, approved.

By Mr. Hogue—

H. 564. To fix the pay of the superintendent of education of Perry county.

December 6, read first, special committee, Mr. Hogue chairman. December 10, favorably, read second.

By Mr. Lay—

H. 565. To regulate the trial of bastardy proceedings in Mobile county.

December 6, read first, revision of laws. December 10, favorably, read second. February 15, read third, passed. February 28, enrolled, signed, approved.

By Mr. Miller—

H. 566. To amend section 3792 of the Code of Alabama.

December 6, read first, revision of laws. December 10, favorably, read second.

By Mr. McLeod—

H. 567. To require the probate judge of Clarke county to prepare and keep in his office general direct and reverse indexes of all deeds and mortgages of lands or any estates or interest therein.

December 6, read first, revision of laws. December 10, favorably, read second. February 4, read third, passed. February 12, enrolled and signed. February 14, approved.

By Mr. Higgins, (with petition)—

H. 568. To change the boundary line between Cullman and Winston counties.

December 7, read first, counties and county boundaries, adverse.

By Mr. Smisson—

H. 569. To prevent the establishing of confectioneries near Antioch church, St. Marks and Hickory Level Colored churches in Dale county, this State.

December 7, read first, local legislation. January 31, favorably, read second.

By Mr. Paine—

H. 570. To amend an act to prohibit stock from running at large in beats Nos. 4, 5 and 6 and the southern parts of beats No. 1 and 3, and the western part of beat No. 7, in Macon county, Alabama, and to provide for the establishment of districts in other parts of said county, in which stock shall not be permitted to run at large, approved February 5, 1883, and amended February, 1885.

December 7, read first, local legislation. February 1, favorably, read second.

By Mr. Woolf, (by request)—

H. 571. To repeal an act entitled an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters, at, or within certain localities in this State hereinafter designated, approved February 28, 1881, and published on pages 148 to 154, inclusive, in the acts of Alabama of 1880-81, so far as the same relates to Van Dorn Station, in Demopolis beat, Marengo county, Alabama.

December 7, read first, temperance. February 8, adverse.

By Mr. Lewis, (by request)—

H. 572. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages of any de-

scription whatever, at or within one and a half miles of the Zion Baptist church in Mobile county.

December 7, read first, temperance. January 31, favorably, read second.

H. 573. An act to amend section 2124 of the Code.

December 7, read first, revision of laws. February 1, favorably, read second.

By Mr. Fitzpatrick—

H. 574. To repeal section 4592 of the Code, so far as it relates to Montgomery county.

December 7, read first, penitentiary and criminal administration. December 10, favorably, read second.

By Mr. Stansel—

H. 575. To give courts power to order the production of books or writing in actions at law.

December 7, read first, revision of laws. February 1, favorably, read second.

By Mr. Carter, (by request) —

H. 576. To repeal section 762 of the Code of Alabama, so far as the same relates to the county of Pike.

December 7, read first, revision of laws. February 2, favorably, read second.

By Mr. Longshore (by request)—

H. 577. To regulate the trials of misdemeanors in Shelby county.

December 7, read first, local legislation. February 5, favorably, read second. February 16, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Cochrane—

H. 578. To authorize the court of commissioners of Tuscaloosa county to purchase claims against the fine and forfeiture fund of said county.

December 7, read first, judiciary. December 12, favorably, read second. February 4, read third, passed. February 15, enrolled, signed. February 19, approved.



H. 579. To prohibit the hunting of deer with dogs in certain portions of Tuscaloosa.

December 7, read first, judiciary. February 26, adverse.

H. 580. For the preservation of game animals and birds in the county of Tuscaloosa.

December 7, read first, judiciary. December 12, favorably, read second. February 11, read third, passed. February 25, concurred senate amendment. February 26, enrolled, signed. February 28, approved.

By Mr. Pitts—

H. 581. To amend section 97 of the Code.

December 7, read first, fees and salaries.

By Mr. George—

H. 582. To provide for the election of a mayor and aldermen of the town of Camden, in Wilcox county.

December 7, read first, corporations. January 31, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Knight—

H. 583. To prevent the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters or any other intoxicating drinks within six miles of the Baptist church, at Prairieville, Hale county, Alabama.

December 7, read first, temperance. January 31, favorably, read second.

By Mr. Sowell—

H. 584. To amend an act for the preservation of game in Limestone, Cullman and Madison counties, in so far as the same relates to the county of Limestone.

December 10, read first, local legislation. January 31, favorably, read second.

By Mr. Moseley—

H. 586. To amend section 4870 of the Code of 1886, so far as the same relates to Limestone county.

December 10, read first, revision of laws.

February 1, favorably, read second. February 7, read third, passed. February 19, enrolled, signed. February 20, approved.

Mr. Bogart, with notice and proof—

H. 587. To the relief of W. S. Page of Jackson county.

December 10, read first, accounts and claims. February 6, favorably, read second. February 13, read third, passed. February 26, signed. February 28, approved.

By Mr. Pratt—

H. 588. To amend section 11 of an act entitled an act to provide for the publication and distribution of the Code of Alabama, approved February 21, so as to require the delivery of the Code of Alabama to Notary's Public and ex-officio Justices of the Peace in each county.

December 10, read first, ways and means. December 12, adverse report.

By Mr. Lay—

H. 589. To define negligence.

December 10, read first, judiciary. December 11, adverse report.

By Mr. Pratt—

H. 590. To amend an act to incorporate the town of Prattville, approved February 19, 1872.

December 10, read first, penitentiary and criminal administration. January 31, favorably, read second. February 11, read third, passed. February 25, enrolled, signed. February 28, approved.

H. 591. For the protection of land and property against the depredations of live stock in precincts No. 1, 2, 3, 4, 5 and 6, in Autauga county.

December 10, read first, penitentiary and criminal administration. January 31, favorably, read second. February 1, read third, passed. February 16, enrolled and signed. February 20, approved.

By Mr. Clark—

- H. 592. To create a separate school district in Marion and Lamar counties.

December 10, read first, education. February 5, favorably, read second. February 8, read third, passed. February 25, concurred in senate amendment. February 26, enrolled, signed. February 28, approved.

By Mr. Allen—

- H. 593. To provide for the working of the public roads in Cleburne county.

December 10, read first, local legislation. February 1, favorably, read second. February 4, read third, passed. February 16, enrolled, signed. February 20, approved.

By Mr. Benners—

- H. 594. Concerning submarine sites for light houses, and other aids to navigation.

December 10, read first, judiciary. January 31, favorably, read second. February 9, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Ward—

- H. 595. An act for the relief of A. Sweat, of Henry county.

December 10, read first, ways and means. February 1, adverse. February 1, recommitted to ways and means. February 2, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Denson—

- H. 596. To extend to the purchaser from, or the assignee of the mortgagor, the same right to redeem that the mortgagor has.

December 10, read first, judiciary.

- H. 597. For the relief of John B. Strosier, late sheriff of Chambers county.

December 10, read first, ways and means. February 9, adverse. February 14, taken up, read second.

By Mr. McElderry—

H. 598. To form a separate school district in Talladega county, to be known as Chinnabee school district.

December 10, read first, education. February 1, favorably, read second. February 2, read third, passed. February 16, enrolled, signed. February 20, approved.

By Mr. Bradley (by request)—

H. 599. To repeal an act entitled an act to authorize and require the county superintendent of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly, so far as the same relates to the counties of Lamar and Marion.

December 10, read first, special committee. December 12, favorably, read second. February 20, amended, read third, passed. February 28, enrolled, signed, approved.

By Mr. McElderry—

H. 600. To form a separate school district in Talladega county, to be known as the Ironton school district.

December 10, read first, education. February 1, favorably, read second. February 19, incorporated in senate 38.

By Mr. Maddox—

H. 601. To amend and vacate the incorporation of Broken Arrow, in St. Clair county.

December 10, read first, corporations. February 1, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. McRee—

H. 602. To settle and determine the damages sustained by the injuring or killing of stock in Lowndes county by any railroad running in or through it.

December 10, read first, local legislation. January 31, favorably, read second.

By Mr. Denson (by request)—

H. 603. To ratify and approve the numbering of the sections of the Code of 1886 as printed.

December 10, read first, judiciary. January 31, favorably, read second. February 15, read third, passed. February 28, enrolled, signed, approved.

By Mr. Arrington—

н. 604. To amend section six (6) of an act entitled an act to authorize the commissioners court, or court, or board of revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large.

December 10, read first, local legislation. February 1, favorably, read second. February 11, amended, read third, passed. February 25, enrolled, signed. February 28, approved.

By Mr. Hogue—

н. 605. To repeal an act regulating the sale of seed cotton in Brush Creek beat, Perry county.

December 10, read first, revision of laws. February 1, favorably, read second.

By Mr. Ledyard (with notice and proof)—

н. 606. To amend the charter of the Mobile Street Railway Company, and to ratify the organization and to confirm the franchises granted to, and the obligations entered into by, and the contracts made with said company.

December 10, read first, judiciary. February 2, favorably, read second.

By Mr. Cochrane—

н. 607. To establish the law and equity court of Tuscaloosa.

December 10, read first, judiciary. January 31, favorably, read second. February 12, read third, lost. February 13, reconsidered, read third and passed.

By Mr. Davie—

н. 608. To amend section 4038 of the Code.

December 10, read first, temperance. January 31, favorably, read second. February 12, read

third, passed. February 26, enrolled, signed. February 28, approved.

н. 609. To amend section 1305 of the Code.

December 10, read first, public health. January 31, favorably, read second. February 11, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Cornelius—

н. 610. To prohibit the sale, or otherwise disposing of alcoholic, vinious or malt liquors within five miles of any coal, or iron mine or camp along the S. and B. railroad in Walker county.

December 10, read first, to temperance. January 31, favorably, read second. February 20, incorporated in senate 215.

By Mr. Dark, (by request)—

н. 611. To prohibit stock from running at large in beat (2) two of Talladega county.

December 10, read first, local legislation. December 11, adverse.

By Mr. Bourdeaux, (by request)—

н. 612. To remove disabilities of non-age of Miss Leila A. Crews, of Sumter county.

December 10, read first, local legislation. January 31, favorably, read second. February 11, read third, passed. February 19, enrolled, signed. February 23, approved.

By Mr. Cochrane—

н. 613. To provide for the time of holding of the circuit courts in the sixth judicial circuit of this State.

December 10, read first, judiciary. January 30, read third, passed. February 12, concurred in senate amendments. February 15, enrolled, signed. February 20, approved.

By Mr. Cunningham—

н. 614. To create a new charter for the city of Florence, Alabama.

December 12, read first, corporations. February 5, favorably, read second. February 7, amended,



read third, passed. February 18, senate amendments concurred in. February 25, enrolled and signed. February 28, approved.

By Mr. Webb—

- H. 615. To punish the wilful disturbance of females.  
December 12, read first, judiciary. January 29, adverse report.

By Mr. White of Dallas—

- H. 616. To allow justices of the peace in beats 8 and 16 in Dallas county to hold their courts in either of said beats.  
December 12, read first, judiciary. February 26, adverse.

By Mr. Higgins, (with petition)—

- H. 617. To change the boundary line between Blount and Cullman counties, approved February 28, 1887,  
December 12, read first, local legislation. February 11, favorably, read second.

By Mr. Winston—

- H. 618. To amend section 1005 of the Code.  
December 12, read first, education. February 11, adverse. February 12, taken up, read second. February 16, read third, passed.

By Mr. Allen—

- H. 619. For the relief of W. A. Stephens, sheriff of Cleburne county.  
December 12, read first, accounts and claims. February 1, favorably, read second. February 12, read third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Fitzpatrick—

- H. 620. To constitute the city of Montgomery a separate school district.  
December 12, read first, education. February 16, favorably, read second. February 19, read third, passed. February 28, signed, approved.

By Mr. Watson—

- H. 621. To regulate the granting of licenses to sell spirituous, or vinous liquors within four miles of Friendship Baptist church in beat 11, in Crenshaw county.

December 12, read first, temperance. February 2, favorably, read second.

By Mr. McElderry—

- H. 622. To incorporate the city of Jenifer.

December 12, read first, corporations. February 1, favorably, read second. February 16, read third and passed. February 28, enrolled, signed, approved.

By Mr. Rattray—

- H. 623. To provide for an election in the county of Cherokee to determine whether or not the sale of spirituous, vinous or malt liquors in Cherokee county shall be allowed.

December 12, read first, revision of laws. February 9, favorably, read second. February 11, read third, passed.

By Mr. Ward—

- H. 624. To amend sections one and two of an act entitled an act to incorporate the South Western Rail Road Company, approved January 21, 1860.

January 29, read first, corporations. February 1, favorably, read second. February 7, read third, passed. February 15, enrolled and signed. February 20, approved.

By Mr. Pratt—

- H. 625. To change the boundary line between the counties of Autauga and Elmore.

January 30, read first, appropriations. February 14, adverse.

By Mr. Pratt—

- H. 626. To regulate the taking up and confinement of stock running at large in certain stock-law districts of Autauga county.

January 30, read first, mining and manufacturing. February 2, favorably, read second. Feb-

ruary 20, read third, passed. February 28, enrolled, signed and approved

By Mr. Shorter—

H. 627. To regulate the assessment of property after the completion of his sittings by the tax assessor of Barbour county.

January 30, read first, judiciary. February 1, favorably, read second. February 6, read third and passed. February 16, enrolled and signed. February 20, approved.

H. 628. To amend section 4451 of the Code.

January 30, read first, judiciary. February 1, adverse report.

By Mr. Johnson—

H. 629. To require administrators of the estates of persons who were non-residents of this State at the time of their deaths, to lodge with the clerk or register security for cost.

January 30, read first, corporations. February 9, adverse report.

By Mr. Stowers—

H. 630. To lay off the county of Bullock into four commissioners districts.

January 30, read first, local legislation. February 1, favorably, read second. February 2, read third and passed. February 12, enrolled and signed. February 13, approved.

By Mr. Williams—

H. 631. To incorporate the Noble Institute.

January 30, read first, education. February 1, favorably, read second. February 2, read third, passed. February 12, enrolled and signed. February 15, approved.

By Mr. Powell—

H. 632. To bar certain claims of witnesses registered against the fine and forfeiture fund of Bullock county.

January 30, read first, local legislation. February 5, favorably, read second. February 11, substitute adopted, read third and passed. Feb-

ruary 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Nelson—

H. 633. To prohibit the purchase of corn or cotton in this State before the same is made and gathered.

January 30, read first, revision of laws. February 1, adverse.

H. 634. To secure to the mortgagor an appraised value of his property when sold by the mortgagee.

January 30, read first, revision of laws. February 5, adverse, taken up, read second. February 21, tabled.

By Mr. Lee—

H. 635. To enlarge the jurisdiction of justices of the peace in Conecuh county, and to regulate the trial of certain misdemeanors in said county.

January 30, read first, revision of laws. February 1, adverse. February 2, taken up, read second. February 19, read third, passed. February 25, concurred in senate amendment, enrolled, signed. February 28, approved.

By Mr. Brown—

H. 636. To amend section 43 of the Code, so far as the same relates to Coosa county.

January 30, read first, judiciary. February 2, favorably with amendment, read second. February 21, amended, read third, passed. February 28, enrolled, signed and approved.

By Mr. Macill—

H. 637. To repeal an act to protect domestic animals against camp hunters in Covington county, approved February 9, 1887.

January 30, read first, local legislation. February 2, favorably, read second. February 18, read third, passed. February 28, enrolled, signed and approved.

By Mr. Watson (with notice and proof)—

H. 638. To incorporate the Highland Home College in Crenshaw county.

January 30, read first, local legislation. Feb-

ruary 1, favorably, read second. February 4, read third, passed. February 19, signed. February 20, approved.

By Mr. Higgins—

H. 639. For the protection of officers of court and witnesses in collection of fees and costs in civil suits.

January 30, read first, judiciary. February 1, adverse.

By Mr. White of Dallas—

H. 640. To amend section 8 of an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the City of Selma, and establish a local government therefor, approved February 17, 1883.

January 30, read first, judiciary. February 2, favorably, read second. February 19, read third, passed. February 28, enrolled, signed and approved.

H. 641. To amend an act to establish a sinking fund commission for Selma, approved December 12, 1888.

January 30, read first, judiciary. February 2, favorably, read second. February 6, read third and passed. February 15, enrolled and signed. February 19, approved.

By Mr. White of Dallas—

H. 642. To amend an act to provide for funding and paying the legal debts of Selma, enacted prior to December 6, 1875, approved December 7, 1888.

January 30, read first, judiciary. February 2, favorably, read second. February 8, read third, passed. February 15, enrolled, signed. February 19, approved.

H. 643. To prescribe the mode of notice to administrators, executors and guardians in certain cases.

January 30, read first, judiciary. February 2, favorably, amendment, read second. February 12, amendment adopted, read third, passed. February 26, signed. February 28, approved.

H. 644. To provide for (refurnishing) repairing and furnishing the capitol and improving the capitol grounds.

January 30, read first, appropriations. February 1, favorably, read second. February 9, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Billingslea—

H. 645. To declare J. T. Caine, a liner between the counties of Perry and Dallas, a citizen of Dallas county.

January 30, read first, local legislation. February 1, favorably, read second. February 6, read third, passed. February 16, signed. February 20, approved.

H. 646. To declare F. M. Dansby, a liner between the counties of Dallas and Perry, a citizen of Dallas county.

January 30, read first, local legislation. February 1, favorably, read second. February 6, read third, passed. February 15, enrolled, signed. February 20, approved.

By Mr. Pettus (by request)—

H. 647. To amend sections 2 and 3 of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

January 30, read first, judiciary.

H. 648. To provide for the service of process in real actions where the defendant secretes himself.

January 30, read first, judiciary. February 1, favorably, read second. February 20, read third, passed. February 28, concurred in senate amendment; enrolled, signed, approved.

H. 649. To amend section 4492 of the Code.

January 30, read first, judiciary. February 2, favorably, amendment, read second. February 21, amended, read third, passed.

H. 650. To regulate the disposition of petitions for rehearings in the supreme court.

January 30, read first, judiciary. February 2, favorably, read second. February 21, read third, passed.



By Mr. Parker—

H. 651. To establish the central institute school district in Elmore county.

January 30, read first, education. February 1, favorably, read second. February 19, incorporated in senate 38.

By Mr. Rabb—

H. 652. To empower the township superintendent of township two of range ten, Escambia county, to sell certain lands.

January 30, read first, judiciary. February 2, favorably, read second. February 6, read third, passed. February 20, enrolled, signed. February 23, approved.

H. 653. To incorporate the town of Alco, in the county of Escambia, and State of Alabama.

January 30, read first, corporations. February 1, favorably, read second. February 2, read third, passed. February 12, enrolled, signed. February 14, approved.

By Mr. Wade—

H. 654. To prohibit the sale, giving away, or otherwise disposing of vinous, malt or spirituous liquors, within three miles of Union Missionary Baptist Church, near Duck Springs, in Etowah county, Alabama, Bristow's Creek Missionary Baptist Church, in Bristow's Cove, Etowah county, Alabama, and Cove Camp Ground Methodist Church, in Etowah county, Alabama.

January 30, read first, temperance. February 2, favorably, read second. February 20, incorporated in senate 215.

By Mr. Smaw, (with notice)—

H. 655. To authorize the widow of Jas. M. Bullock, deceased to administer his estate in Mobile county, upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

January 30, read first, revision of laws. February 1, favorably, read second.

By Mr. Knight—

- H. 656. To define a lawful fence in Hale county, Alabama.  
January 30, read first, agriculture. February  
2, favorably, amendment, read second.

By Mr. Benners—

- H. 657. To amend an act entitled an act to amend section  
7 of an act to confer additional jurisdiction upon  
the county court of Hale county, and to regulate  
the proceedings therein, approved February 12,  
1879.

January 30, read first, judiciary. February 7,  
favorably, read second.

By Mr. Benners—

- H. 658. To incorporate the Railway Passenger Indemnity  
Company.

January 30, read first, corporations. Februa-  
ry 12, favorably, read second. February 19,  
read third, lost.

By Mr. French—

- H. 659. To amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an  
act to provide a fund for the payment of wit-  
nesses for the State and other officers in State's  
cases in Jackson county, and to prescribe their  
compensation.

January 30, read first, revision of laws. Feb-  
ruary 1, adverse.

- H. 660. To allow the people of Jackson county to elect  
their county commissioners from each district.

January 30, read first, local legislation.  
February 2, favorably, read second. February  
19, read third, tabled.

- H. 661. To repeal an act to incorporate Larkinsville in  
the county of Jackson.

January 30, read first, education. February  
5, adverse.

- H. 662. For the relief of Alice Gidens.

January 30, read first, judiciary. February 5,  
adverse.

By Mr. Lowe—

- H. 663. To fix the pay of the county commissioners and  
judge of probate of Jefferson county.

January 30, read first, judiciary. February 1, favorably, with substitute, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Porter, (with notice and proof)—

- H. 664. To amend the charter of the Elyton Land Company, a corporation organized under the general incorporation laws of this State.

January 30, read first, corporations. February first, favorably, read second. February 19, read third, passed. February 28, enrolled, signed, approved.

- H. 665. To amend section 3 of an act entitled an act to provide for the working of the public roads in Jefferson county by contract, and to further regulate the working of the roads in said county, approved February 17, 1885.

January 30, read first, judiciary. February 2, favorably, read second.

- H. 666. To provide for the collection of costs in certain cases.

January 30, read first, judiciary. February 2, favorably, read second.

- H. 667. To amend section 2 of an act entitled an act to provide for the working of the public roads in Jefferson county by contract, and to further regulate the working of the roads in said county, approved 17th February, 1885.

January 30, read first, public roads and highways.

- H. 668. To amend section 2348 of the Code of Alabama.

January 30, read first, judiciary. February 1, adverse.

- H. 669. To incorporate the Birmingham Female College.

January 30, read first, corporations. February 2, favorably, read second.

- H. 670. To amend section 3426 of the Code of Alabama.

January 30, read first, judiciary. February 7, adverse.

- H. 671. Ratifying, approving and confirming the action of the mayor and board of aldermen of Birmingham, in authorizing and allowing the Caldwell Hotel Company to occupy with their hotel build-

ing, a portion of one of the public alleys in the city of Birmingham.

January 30, read first, judiciary. February 2, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Porter—

H. 672. To establish a charter for the town of Avondale in Jefferson county.

January 30, read first, corporations. February 9, favorably, read second. February 23, read third, passed. February 28, enrolled signed, approved.

H. 673. To enlarge and increase the jurisdiction of justices of the peace, and the notary public having like powers, of precinct 33 in Jefferson county, and to regulate the exercise thereof.

January 30, read first, revision of laws. February 1, adverse.

By Mr. Cunningham—

H. 674. To confirm the incorporation of the Florence Rail Road and Improvement Company, and to define and declare the powers of the said company.

January 30, read first, corporations. February 5, favorably, read second. February 13, read third, passed. February 25, enrolled and signed. February 28, approved.

H. 675. To incorporate the Florence Belt Railroad and Improvement Company.

January 30, read first corporations. February 5, favorably, read second. February 19, read third, passed. February 28, enrolled, signed, approved.

H. 676. For the relief of the firm of Dewberry and J. C. Bevis.

January 30, read first, accounts and claims. February 1, favorably, read second. February 13, read third, passed. February 28, enrolled, signed and approved.

By Mr. Kyle (by request)—

H. 677. To provide for the term of office of the tax collector of Lee county.

January 30, read first, local legislation. Febru-

ary 1, favorably, read second. February 7, read third, passed. February 15, enrolled, signed. February 23, approved.

(By request)—

н. 678. To refund to Adolphus Stevens and others taxes improperly collected from them.

January 30, read first, local legislation. February 1, favorably, read second. February 23, read third, passed.

By Mr. McElvey—

н. 679. To change the name of the town of Brownville, Lee county.

January 30, read first, counties and county boundaries. February 1, favorably, read second. February 7, read third, passed. February 15, enrolled, signed. February 20, approved.

By Mr. McRee—

н. 680. To require the health officer of Lowndes county to provide for and furnish medical attention and medicines to the paupers of said county free of charge.

January 30, read first, local legislation. February 1, adverse.

By Mr. Paine—

н. 681. To establish a separate school district at Tuskegee, Macon county, Alabama, and to prescribe the boundaries of said district.

January 30, read first, revision of laws. February 1, favorably, read second. February 19, incorporated in senate 38.

(With notice and proof)—

н. 682. To relieve Jesse H. Thompson, of Macon county, Alabama, of the disabilities of non-age.

January 30, read first, revision of laws. February 1, favorably, read second. February 14, read third, passed. February 26, enrolled, signed. February 28, approved.

(With petition)—

н. 683. To repeal an act approved February 28, 1887, to prohibit the sale, giving away or disposing of any spirituous, vinous or malt liquors or intoxicating

bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, outside of the corporate limits and police jurisdiction of the city of Montgomery, except as to store houses in beat 12 in Montgomery county, known as Downing's store, this exception not to continue longer than 31st of December, 1887, or within two miles of Hopewell Baptist church, in Covington county, and other places mentioned in said bill, including beat 3, known as Society Hill beat, Macon county, and Tuskegee beat, in Macon county, so far as the same relates to the town of Tuskegee, and to authorize the town council of said town to grant license for the sale of spirituous, vinous or malt liquors within the corporate limits of said town.

January 30, read first, revision of laws. February 1, favorably, read second, recommitted to revision of laws. February 8, adverse. February 14, taken up, read second.

By Mr. Hampton—

H. 684. To define and prescribe a lawful fence in certain portions of the county of Madison.

January 30, read first, agriculture. February 2, favorably, amendment, read second. February 19, amended, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Hundley—

H. 685. To amend sections four and eight of an act entitled an act to establish a new charter for the city of Huntsville, approved December 12, 1888.

January 30, read first, judiciary. February 1, favorably, read second. February 1, special order to-morrow after journal. February 2, amended, read third, passed. February 8, enrolled, signed. February 11, approved.

H. 686. To amend section 4233 of the Code of Alabama.

January 30, read first, judiciary. February 7, adverse.

H. 687. For the relief of E. C. Betts, late commissioner of agriculture.

January 30, read first, judiciary.



- H. 688. To amend section 4665 of the Code.  
January 30, read first, judiciary. February 7, adverse.
- H. 689. For the relief of Thomas B. Kelley.  
January 30, read first, judiciary. February 26, adverse.
- H. 690. To regulate the fine and forfeiture fund of Madison county.  
January 30, read first, special committee of Madison delegation. January 31, favorably, read second. February 9, read third, passed. February 19, signed. February 20, approved.
- H. 691. To allow landlords or the owners of the soil to sue in an action of trespass *quare clausum fregit*.  
January 30, read first, judiciary. February 5, adverse.
- H. 692. To amend section 3682 of the Code of Alabama.  
January 30, read first, judiciary. February 5, favorably, read second. February 21, amended, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.
- H. 693. To form a separate school district within the bounds therein named in the county of Madison, and to provide for the distribution of the public school funds in said district.  
January 30, read first, education. February 1, favorably, read second. February 19, incorporated in senate 38.

By Mr. Woolf—

- H. 694. To amend the charter of the city of Faunsdale, county of Marengo, State of Alabama.  
January 30, read first, judiciary. February 2, favorably, read second. February —, read third and passed. February 28, enrolled, signed and approved.

(With notice and proof)—

- H. 695. To grant to the Dayton and Faunsdale Railroad Company the right of way through section 16, in township 17, range 5 east, in Marengo county.  
January 30, read first, education. February 5, adverse report, taken up, read second. February 12, read third and passed. February 25, enrolled and signed. February 28, approved.

- H. 696. To incorporate an educational institute in the city of Demopolis, Alabama, under the name and style of "The Marengo Military Academy."  
January 30, read first, judiciary. February 2, favorably, read second.

(With notice and proof)—

- H. 697. For the relief of S. H. and W. S. Askew of Marengo county.

January 20, read first, appropriations. February 1, favorably, read second. February 8, read third and passed. February 25, enrolled and signed. February 26, approved.

By Mr. Winston—

- H. 698. To designate and establish the east, south and west boundary lines of Marshall county.

January 30, read first, special committee. February 5, favorably, read second.

(By request)—

- H. 699. To amend section 1434 (1670) of the Code.

January 30, read first, revision of laws. February 1, favorably, read second.

- H. 700. To authorize the county treasurer of Marshall county to re-register certain claims against the fine and forfeiture fund of said county.

January 30, read first, revision of laws. February 1, favorably, read second. February 19, read third and passed. February 28, enrolled, signed and approved.

- H. 701. To amend an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, with the exception that the provisions of this act shall not apply to the counties of Henry, Mobile, Dallas, Talladega, Clay, Marengo, Cherokee, Etowah, St. Clair, Coffee, Dale, Geneva, Marshall and Montgomery, approved February 28, 1887, so as to make the provisions of that act apply to the county of Marshall.

January 30, read first, judiciary. February 7, favorably, read second.

By Mr. Ledyard—

- H. 702. For the better suppression of gambling.

January 30, read first, judiciary. February 5,

favorably, read second. February 8, read third and passed. February 23, enrolled and signed. February 26, approved.

- H. 703. To provide for the humane killing of animals so maimed and crippled by railroad locomotives or cars as to be unable to procure food or drink for themselves.

January 30, read first, judiciary. February 7, favorably, read second.

By Mr. Lay—

- H. 704. To amend sections one, three, five and thirteen of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

January 30, read first, revision of laws. February 2, favorably, read second. February 15, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Lewis—

- H. 705. To amend an act entitled an act to incorporate the Birmingham, Mobile and Navy Cove Harbor Railway Company, approved February 28, 1887.

January 30, read first, revision of laws. February 1, favorably, read second. February 8, read third and passed. February 13, concurred in senate amendments. February 15, enrolled and signed. February 20, approved.

- H. 706. To fix the fees and charges for impounding animals in the city of Mobile.

January 30, read first, revision of laws. February 1, favorably, read second. February 23, read third, passed.

(With notice and proof)—

- H. 707. For the relief of the Columbus Insurance and Banking Company, for the State of Mississippi, Clarke and Murrell, agents.

January 30, read first, revision of laws. February 1, favorably, read second. February 11, read third, lost.

By Mr. Barnett—

- H. 708. To incorporate the Fidelity, Mortgage and Trust Company of Alabama.  
January 30, read first, ways and means.

By Mr. Wiley—

- H. 709. To incorporate the Alabama and Texas Railway Company.

January 30, read first, judiciary. February 5, favorably, read second. February 8, read third, passed. February 15, enrolled and signed. February 20, approved.

By Mr. Wiley, (by request)—

- H. 710. To amend section 959 of the Code.

January 30, read first, education. February 16, favorably, read second.

- H. 711. To authorize any person interested in the estate of a decedent to plead the statutes of limitation to all claims against such estates on any settlement thereof.

January 30, read first, judiciary. February 5, favorably, read second.

- H. 712. To confer certain privileges in the State of Alabama upon the Chattanooga, Rome and Columbus Railroad Company, a corporation chartered by the laws of the State of Georgia.

January 30, read first, judiciary. February 1, favorably, read second. February 13, read third and passed. February 19, enrolled and signed. February 20, approved

By Mr. Weaver—

- H. 714. To establish a separate school district in Morgan county, known as Woodland Mills School District.

January 30, read first, education. February 1, favorably, read second. February 19, incorporated in s. 38.

By Mr. Hogue—

- H. 715. To repeal section 1120 and to amend sections 1159, 1160, 1166, 1167 and 1168 of the Code of Alabama, and to amend sections 1 and 5 of an act

entitled an act to provide for the comfort and accommodation of passengers at each of the passenger stations along the line of every railroad operated by any railroad company or person in this State, approved February 28, 1887.

January 30, read first, revision of laws. February 2, adverse. February 5, taken up, read second.

By Mr. Stansel—

H. 716. To amend section 3217 of the Code.

January 30, read first, revision of laws. February 1, favorably, read second. February 18, read third, passed.

H. 717. To amend section 3215 of the Code.

January 30, read first, revision of laws. February 1, favorably, read second. February 19, read third and lost.

H. 718. To amend section 3210 of the Code.

January 30, read first, revision of laws. February 1, favorably, read second. February 19, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Henderson—

H. 719. To regulate the payment of claims against the fine and forfeiture fund of Randolph county.

January 30, read first, revision of laws. February 1, favorable, read second. February 16, read third and passed. February 26, enrolled and signed. February 28, approved.

H. 720. To provide for the election of the county commissioners of roads and revenues for Randolph county.

January 30, read first, revision of laws. February 1, favorably, read second.

By Mr. Smith—

H. 721. To amend section 3365 of the Code of Alabama, so as to authorize the affidavit to be made by an agent or attorney.

January 30, read first, judiciary. February 2, favorably, read second. February 16, read third, passed. February 28, enrolled, signed and approved.

By Mr. Longshore—

- H. 722. To prescribe the time and manner of ordering and summoning juries for adjourned terms of the circuit court in the counties of Calhoun, Cleburne and Shelby.

January 30, read first, special committee. February 1, favorably, read second.

By Mr. Maddox—

- H. 723. To authorize the judge of the circuit court to fix by an order entered upon the minutes of the court, the time when the criminal docket may be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

January 30, read first, special committee. February 1, favorably, read second. February 4, read third, passed. February 25, enrolled and signed. February 26, approved.

- H. 724. To fix the time of holding the circuit court in the several counties composing the seventh judicial circuit.

January 30, read first, special committee. February 1, favorably, read second.

- H. 725. To amend section six of an act of the general assembly of Alabama, approved 17th February, 1885, entitled an act to incorporate the St. Clair Coal Company.

January 30, read first, corporations. February 1, favorably, read second. February 21, amended, read third, passed. February 28, enrolled, signed and approved.

By Mr. Maddox—

- H. 726. For the preservation of game animals and birds in the county of St. Clair.

January 30, read first, local legislation. February 1, favorably, read second. February 11, amended read third, passed. February 25, concurred in senate amendment. February 26, enrolled, and signed. February 28, approved.

By Mr. McElderry—

- H. 727. To prescribe the duties and provide for the compensation of the county solicitor for the county of Talladega.



January 30, read first, fees and salaries. February 1, favorably, read second. February 19, read third, passed.

By Mr. Webb—

H. 728. To encourage immigration to the State of Alabama.

January 30, read first, immigration.

By Mr. Cochrane—

H. 729. To regulate the drawing and organization of grand juries in the circuit court of Tuscaloosa county.

January 30, read first, judiciary. February 9, favorably, read second.

H. 730. To amend section 4485 of the Code of Alabama.

January 30, read first, judiciary. February 9, adverse.

By Mr. Clements—

H. 731. To provide for conducting farmers institutes in the State of Alabama.

January 30, read first, agriculture. February 2, favorably, read second. February 2, continued special order Tuesday next. February 5, read third, passed. February 25, enrolled and signed. February 28, approved.

By Mr. Cornelius, (by request)—

H. 732. To empower the governor of Alabama to reconvey to the United States a certain tract of land described in this bill.

January 30, read first, federal relations. February 5, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

H. 733. To incorporate the Jasper Trust Company.

January 30, read first, corporations. February 1, favorably, read second. February 11, amended, read third, passed. February 26, enrolled and signed. February 28, approved.

H. 734. To regulate the fees of justices of the peace in Walker county.

January 30, read first, local legislation. February 4, adverse.

- H. 735. To ratify and confirm the charter of the Jasper Land Company.

January 30, read first, corporations. February 1, favorably, read second. February 16, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Posey—

- H. 736. To authorize the board of county commissioners of Washington county, and the board of revenue and road commissioners of Mobile county to establish and fix boundary lines between said counties.

January 30, read first, counties and county boundaries. February 1, favorably, read second. February 11, read third, passed. February 20, enrolled and signed. February 23, approved.

By Mr. Miller—

- H. 737. To amend section 2123 of the Code of Alabama of 1886.

January 30, read first, revision of laws. February 4, adverse.

- H. 738. To amend section 491 of the Code of Alabama of 1886.

January 30, read first, revision of laws. February 1, favorably, read second. February 16, read third, passed. February 23, enrolled, signed and approved.

By Mr. George, (by request) —

- H. 739. To amend sections 533 and 535 of the Code 1886, so far as the same applies to Wilcox county.

January 30, read first, local legislation. February 1, favorably, read second. February 2, recommitted to local legislation. February 9, favorably.

- H. 740. To prevent collisions on roads, streets and other passage-ways.

January 30, read first, counties and county boundaries. February 14, favorably, read second.

By Mr. Ward, (by request—

H. 741. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four (4) miles of Tolbert Baptist church in beat sixteen (16), in all directions, in Henry county.

January 20, read first, temperance. February 2, favorably, read second. February 13, amended, read third, passed. February 26, enrolled, and signed. February 28, approved.

By Mr. Tatum —

H. 742. To amend section 4018 of the Code.

January 30, read first, judiciary. February 7, adverse.

By Mr. White of Dallas—

H. 743. To regulate the business of insurance in this State.

January 30, read first, judiciary.

By Mr. Cochran—

H. 744. Authorizing and permitting the board of trustees of the State of Alabama Insane Hospital to grant the right to open rock quarries on the lands belonging to said hospital, for the purpose of building locks or dams in the Warrior river by the United States government, free of charge.

January 30, read first, judiciary. February 5, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

H. 745. In relation to criminal insane persons, who are charged by indictment with murder and other high crimes.

January 30, read first, judiciary. February 9, favorably, read second.

By Mr. Lowe—

H. 746. To amend the charter of the People's Savings Bank, a corporation organized in the county of Jefferson, under the general laws of the State of Alabama.

January 30, read first, corporations. Februa-

ry 1, favorably, read second. February 7, read third, passed. February 19, enrolled and signed. February 20, approved.

By Mr. Stansel—

H. 747. To amend section 604 of the Code, so far as to provide for the more certain collection of escaped taxes, and for the better description of lands sold for taxes and bid in by the State.

January 30, read first, ways and means. February 6, favorably, read second. February 15, read third, passed.

By Mr. Hogue—

H. 748. For the relief of soldiers maimed or disabled during the late war, and the widows of confederate soldiers, whose husbands were killed, or died in said war, and who have not since re-married.

January 30, read first, military. February 5, favorably, with substitute, read second.

By Mr. Hampton—

H. 749. To authorize the posting of land in this State, and to provide the manner of enforcing \* \* \* \*

January 30, read first, judiciary. February 7, adverse.

By Mr. Denson—

H. 750. To amend section 97 of the Code.

January 30, read first, fees and salaries. February 5, favorably, read second.

By Mr. Porter—

H. 751. To authorize certain courts in this State to summon jurors for the trial of criminal cases from counties other than the county where the case is to be tried, and prescribing the mode of summoning the said jurors and providing for the pay of the jurors.

January 30, read first, judiciary. February 7, adverse.

By Mr. Knight—

H. 752. To authorize the governor to adjust and settle the claim of Johnston Jones for services rendered the State of Alabama in restoring the quota of arms

and equipments by the United States to the State of Alabama.

January 30, read first, military. February 16, favorably, read second.

By Mr. McLendon—

H. 753. To provide for the better working of the public roads of the county of Montgomery.

January 31, read first, public roads and highways. February 2, favorably, read second.

H. 754. To amend section 1681 of the Code.

January 31, read first, local legislation. February 2, favorably, substitute, read second. February 9, read third, passed.

By Mr. Ledyard—

H. 755. To preserve the records of the courts of chancery.

January 31, read first, revision of laws. February 2, favorably, read second. February 13, read third, passed.

By Mr. Benners—

H. 756. To amend an act entitled an act for the protection of game animals and birds, in the counties of Hale and Cullman and Greene, approved February 26, 1887, so far as the same applies to Hale county.

January 31, read first, agriculture. February 6, favorably, read second. February 18, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Parker—

H. 757. To repeal an act entitled an act to authorize the court of county commissioners of Elmore county to erect a bridge across the Coosa river at Wetumpka, and to issue bonds to pay for same.

January 31, read first, local legislation. February 2, favorably, read second. February 12, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. George—

H. 758. To locate the regimental headquarters of the several regiments of Alabama State troops.

January 31, read first, military. February 11, favorably, read second. February 12, read third, passed.

By Mr. White, of Geneva—

H. 759. To regulate the issuance of licenses for the sale of intoxicating liquors in any of the several beats in Geneva county, Alabama.

January 31, read first, temperance. February 2, favorably, read second. February 6, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Bevis—

H. 760. For the relief of H. McVay Moore, ex-sheriff of Lauderdale county, Alabama.

January 31, read first, accounts and claims. February 5, favorably, read second.

By Mr. Warde—

H. 761. To incorporate the Walnut Grove College at Walnut Grove, Etowah county, Alabama.

January 31, read first, public roads and highways. February 2, favorably, read second. February 6, read third, passed. February 19, signed. February 20, approved.

By Mr. Blevins—

H. 762. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of DeKalb.

January 31, read first, revision of laws. February 2, favorably, read second. February 12, read third, passed. February 21, enrolled, signed. February 26, approved.

By Mr. Cunningham—

H. 763. For the relief of Wm. T. Mitchell.

January 31, read first, accounts and claims. February 19, adverse.



By Mr. Bradley—

- H. 764. To re-enact sections 3286, 3287 and 3288 of the Code of 1876, as to the county of Lamar.

January 31, read first, revision of laws. February 2, favorably, read second. February 7, read third, passed. February 16, signed. February 20, approved.

By Mr. Winston—

- H. 765. To permit the county officers of Marshall county, to deposit the public moneys in their hands in the bank or banks at Guntersville, for safe keeping.

January 3, read first, revision of laws. February 4, adverse report.

- H. 766. To amend subdivision four of section 629 of the Code of 1886.

January 31, read first, ways and means. February 4, adverse report.

By Mr. McLeod—

- H. 767. To increase the jurisdiction of justices of the peace in Clarke county.

January 31, read first, revision of laws. February 7, adverse report.

By Mr. Kemp—

- H. 768. To regulate the purchase and sale of seed cotton in the counties of Monroe and Conecuh.

January 31, read first, local legislation. February 7, favorably, read second. February 9, read third, passed. February 28, enrolled, signed, approved.

By Mr. Ledyard—

- H. 769. To amend section 666 (3975) of the Code of Alabama.

January 31, read first, public printing.

By Mr. Knight—

- H. 770. To prevent stock from running at large in certain portions of Hale and Tuscaloosa counties, approved February 21, 1887, so far as the same relates to the beats Nos. 2, 10, and 12, in Hale county Alabama.

January 31, read first, agriculture. February 4, adverse report.

By Mr. Ledyard—

H. 771. To amend section 576 of the Code of Alabama.  
January 31, read first, public printing.

By Mr. Adams—

H. 772. To incorporate Woodstock Academy, in Bibb county.

January 31, read first, education. February 11, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Bogart—

H. 773. To amend an act entitled an act to establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, approved February 16, 1883.

January 31, read first, education. February 5, favorably, read second. February 7, read third, passed. February 18, senate amendments concurred in. February 23, enrolled, signed. February 26, approved.

By Mr. Stowers—

H. 774. To amend section 3685 of the Code of Alabama.  
January 31, read first, local legislation. February 9, adverse report.

By Mr. Porter—

H. 775. To prevent the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials, or fruits preserved in alcoholic liquors, within five miles of Freewill Baptist Church, Jefferson county, Loodicia Church, Jefferson Church, Hopewell Church, Jefferson county, Union Grove School House, Foggset Mines, Jefferson county, and Moore's High School House in Jefferson county.

January 31, read first, temperance. February 2, favorably, read second. February 20, incorporated in senate 215.

By Mr. Clements—

- H. 776. To authorize Mrs. Joan R. Vance, widow of John M. Vance, deceased to sell certain lands in Tuscaloosa, and Bibb counties, belonging to the estate of the said John M. Vance, deceased, at private or public sale, as may be deemed for the last interest of said estate.

January 31, read first, local legislation. February 2, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Lay—

- H. 777. To provide for a record of the lands which have been or may hereafter be granted to the State by the United States and the disposition thereof.

January 31, read first, federal relations. February 5, favorably, read second.

By Mr. Wiley (by request)—

- H. 778. To authorize the sale of spirituous, vinous, or malt liquors, intoxicating bitters, fruits or beverages, within the corporate limits of the city of Greenville, Butler county, Alabama.

February 1, read first, revision of laws. February 6, favorably, read second. February 18, read third, lost.

By Mr. Hogue—

- H. 779. To allow the hunting and killing of deer in certain portions of Perry county.

February 1, read first, revision of laws. February 5, favorably, read second.

- H. 780. To repeal an act entitled an act to define the county line between Dallas and Perry counties, approved December 28, 1868.

February 1, read first, revision of laws. February 5, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Lewis (with notice and proof)—

- H. 781. For the relief of the tax collector of Mobile county.

February 1, read first, ways and means. February 6, favorably, read second. February 13,

amended, read third and lost. February 14, reconsidered and passed. February 28, enrolled, signed and approved.

By Mr. NeSmith—

H. 782. To amend an act entitled an act to incorporate the town of Town Creek in Lawrence county, Alabama, approved March 8, 1875.

February 1, read first, corporations. February 12, favorably, read second. February 13, read third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Meador (by request)—

H. 783. For the relief of Thomas H. Skinner, S. G. Woolf, C. F. Compton and F. M. Witherspoon.

February 1, read first, appropriations. February 9, favorably, read second. February 18, read third, passed. February 25, concurred in senate amendment. February 26, enrolled and signed. February 28, approved.

By Mr. Smith—

H. 784. To change the name of Minnie Lee Jenkins of Russell county to that of Minnie Lee Turner.

February 1, read first, judiciary. February 7, favorably, read second. February 16, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Porter—

H. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

February 1, read first, corporations. February 7, favorably, read second. February 25, read third, passed. February 28, enrolled, signed and approved.

H. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

February 1, read first, corporations. February 13, favorably, with amendment, read second. February 16, amended, read third and passed. February 28, enrolled, signed and approved.

By Mr. Bogart—

- H. 787. To amend an act entitled an act to incorporate the town of Scottsboro, in the county of Jackson, approved January 20, 1870, and the act amendatory thereto, approved February 5, 1877, entitled an act to amend section thirteen of an act, approved January 20, 1870, entitled an act to incorporate the town of Scottsboro, in the county of Jackson.

February 1, read first, corporations. February 12, favorably, read second. February 13, amended, read third, passed. February 25, enrolled and signed. February 28, approved.

By Mr. Watters—

- H. 788. To amend an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money.

February 1, read first, ways and means. February 2, favorably, read second. February 4, read third and passed. February 25, enrolled and signed. February 26, approved.

By Mr. Darby—

- H. 789. To give plaintiffs a lien in garnishment cases.

February 1, read first, judiciary. February 7, favorably, read second.

By Mr. Carter (with petition)—

- H. 790. To change the name of the town of Brundidge, Pike county, Alabama.

February 1, read first, local legislation. February 5, favorably, read second. February 16, read third, passed. February 28, enrolled, signed and approved.

By Mr. McElderry—

- H. 791. To incorporate the trustees of the Indigent Ministers fund of the Coosa River Baptist Association.

February 1, read first, corporations. February 7, favorably, read second. February 18, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Weaver—

- H. 792. To create the town of New Decatur a separate school district, to incorporate the same, and define its powers and duties.

February 1, read first, education. February 6, favorably, read second. February 14, read third, passed. February 26, enrolled and signed. February 28, approved.

- H. 793. To relieve the tax-payers of (Decatur) the cities of New Decatur and Decatur from State taxes for the year 1888.

February 1, read first, ways and means. February 6, adverse report.

By Mr. Powell—

- H. 794. To amend section 4887 of the Code.

February 1, read first, fees and salaries. February 5, favorably, with substitute, read second. February 20, read third, passed.

By Mr. Summers (with petition)—

- H. 795. To compensate persons who present to the county treasurer of Colbert county the scalp of any wolf, wild-cat, catamount or fox killed within the limits of Colbert county.

February 1, read first, local legislation. February 5, adverse.

- H. 796. To amend section 974 of the Code of Alabama.

February 1, read first, education. February 5, adverse.

By Mr. McLeod—

- H. 797. For the relief of Joseph W. Cunningham and Mrs. A. A. York of Clarke county.

February 2, read first, revision of laws. February 9, favorably, read second. February 12, read third, passed. February 23, concurred in senate amendment. February 25, enrolled and signed. February 26, approved.

By Mr. King—

- H. 798. To repeal an act to protect fish in the county of Butler, approved February 21, 1887.

February 2, read first, local legislation. February 5, read second, adverse.



(By request)—

H. 799. To amend an act entitled an act to constitute the city of Greenville a separate school district, and to provide for the management of the public schools of said district.

February 2, read first, education. February 5, favorably, read second.

By Mr. Benners—

H. 800. To better secure payment of fines and costs in criminal cases in the courts of this State.

February 2, read first, judiciary. February 7, adverse.

By Mr. Stone—

H. 801. To amend sections 3522, 3523 and 3524 of the Code.

February 2, read first, judiciary. February 5, favorably, read second. February 11, read third, passed. February 25, signed. February 28, approved. —

By Mr. Pratt—

H. 802. To amend section 3870 of the Code.

February 2, read first, revision of laws. February 7, adverse.

By Mr. Cunningham—

H. 803. To incorporate the Alabama Loan and Banking Company of Florence, Alabama.

February 2, read first, corporations. February 6, favorably, read second. February 23, read third, passed. February 28, concurred in senate amendment, signed, approved.

H. 804. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within two miles of Pleasant Valley Baptist church, Center Star beat, Lauderdale county.

February 2, read first, temperance. February 14, favorably, read second. February 20, incorporated in senate 215.

By Mr. Moseley—

- H. 805. To regulate the waiving of exemptions by heads of families.

February 2, read first, revision of laws. February 7, adverse.

- H. 806. To establish a district in Limestone county in which it shall be unlawful to permit hogs to run at large.

February 2, read first, local legislation. February 7, favorably, read second. February 8, read third, passed. February 25, enrolled, signed. February 26, approved.

- H. 807. To provide an additional mode of registration of liens, mortgages and deeds of trust.

February 2, read first, judiciary. February 7, adverse.

By Mr. Higgins—

- H. 808. To provide for the more efficient working of the public roads in Cullman county.

February 2, read first, public roads and highways. February 5, favorably, read second. February 18, read third. February 19, recommitted to public roads and highways.

- H. 809. To regulate criminal procedure in Cullman county.

February 2, read first, revision of laws. February 6, adverse.

810. To provide for the election of township trustees of public schools by a vote by the people, in the counties of Cullman, Blount and Lawrence.

February 2, read first, revision of laws. February 6, favorably, read second. February 12, read third, passed. February 20, enrolled, signed. February 23, approved.

By Mr. Bogart (by request)—

- H. 811. To protect the owners of lands or fences on the waters of Dry creek, in the county of Jackson.

February 2, read first, local legislation. February 5, adverse. February 15, recommitted to local legislation. February 20, favorably, read second. February 23, read third, passed.

By Mr. Cochrane—

- H. 812. To amend section 463 of the Code and section 529 of the Code.

February 2, read first, ways and means. February 9, adverse.

By Mr. Files--

- H. 813. To repeal an act entitled an act to prevent the sale, giving away or otherwise disposing of any spirituous, vinous liquors, intoxicating bitters, or any other intoxicating drinks, within the limits of Fayette county and other places therein named, approved February 17, 1885, (on pages 570, 571, 572, 573,) so far as the same applies to Fayette county.

February 2, read first, local legislation. February 5, favorably, read second. February 6, read third, passed. February 21, enrolled, signed. February 26, approved.

By Mr. Clark—

- H. 814. To repeal an act to provide for the collection of taxes in Marion county, approved December 2, 1886, and to re-enact the general law for the collection of taxes in said county.

February 2, read first, ways and means. February 9, favorably, read second. February 11, re-committed to ways and means.

By Mr. Williams—

- H. 815. To incorporate the Piedmont College, in the town Piedmont, in the county of Calhoun, and State of Alabama.

February 2, read first, education. February 5, favorably, read second. February 18, read third, passed. February 28, enrolled, signed and approved.

- H. 816. To provide for the assessment of State and county taxes on property within the corporate limits of the city of Anniston.

February 2, read first, ways and means. February 7, adverse report.

- H. 817. To authorize the commissioners court of Calhoun county to levy a tax for, and to provide a system for the repairing of the public roads of said county.

February 2, read first, public roads and highways. February 9, favorably, read second. Feb-

ruary 11, substitute adopted, read third, passed.  
 February 26, concurred in senate amendment.  
 February 28, enrolled, signed and approved.

By Mr. Clements—

H. 818. To amend section 4031 of the Code of Alabama.

February 2, read first, judiciary. February 7, adverse. February 11, recommitted to judiciary. February 12, adverse.

By Mr. George—

H. 819. To provide for the employment of a temporary clerk in the office of the Board of Inspectors of Convicts.

February 2, read first, penitentiary and criminal administration. February 6, favorably with amendments, read second. February 7, amended, read third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Cornelius—

H. 820. To amend an act approved February 8, 1877, to increase the criminal jurisdiction of justices of the peace and notaries public having like powers, in the counties of Lee, Madison, Jackson, Clarke, Choctaw, Walker and Marion.

February 2, read first, revision of laws. February 7, adverse.

H. 821. To enlarge the jurisdiction of justices of the peace and notaries public who are *ex officio* justices of the peace, of precinct one in Walker county.

February 2, read first, revision of laws. February 12, adverse report.

By Mr. Weaver—

H. 822. To authorize and require the probate judge of Morgan county, Alabama, to make and keep in his office books of abstracts of all conveyances of real estate, or interest therein, recorded in Morgan county, and to prescribe his compensation and fees therefor.

February 2, read first, judiciary. February 26, adverse report.

By Mr. Arrington--

H. 823. For the relief of George B. Fellows, as the administrator of the estate of H. D. Fellows, deceased.

February 2, read first, judiciary. February 7, returned and referred to ways and means. February 9, adverse. February 14, taken up, read second. February 16, read third, passed. February 28, enrolled, signed and approved.

By Mr. George—

H. 824. To authorize James T. Beck and others to establish a public ferry at Ellis' Landing, on the Alabama river, in Wilcox county, Alabama.

February 2, read first, special committee. February 4, favorably, read second. February 11, read third, passed. February 19, enrolled and signed. February 20, approved.

By Mr. Lowe—

H. 825. To incorporate the Southern Loan and Guarantee Company.

February 2, read first, corporations. February 9, favorably, read second.

By Mr. Lowe—

H. 826. To amend section 17 of an act to amend an act to establish a new charter for the city of Birmingham, approved February 17, 1883.

February 2, read first, judiciary. February 7, favorably, read second. February 20, read third, passed. February 28, enrolled, signed and approved.

By Mr. Stansell—

H. 827. To establish a new charter for the town of Carrollton, Pickens county, and to confer certain powers on the mayor.

February 2, read first, corporations. February 7, favorably, read second.

H. 828. To compensate clerks of the circuit court for collecting and paying over solicitors' fees.

February 2, read first, revision of laws. February 6, favorably, read second.

By Mr. Hogue—

H. 829. To amend section 3665 of the Code.

February 2, read first, revision of laws. February 6, favorably, read second.

By Mr. Smaw—

H. 830. To amend section 3683 (5028) of the Code of Alabama.

February 2, read first, revision of laws. February 5, favorably, read second. February 18, read third, passed. February 25, enrolled, and signed. February 28, approved.

By Mr. French—

H. 831. To allow the qualified voters within five miles of Scottsboro College and Normal School to hold an election on the question of prohibition of the sale of vinous, malt or spirituous liquors within said limits.

February 1, read first, temperance. February 7, adverse.

By Mr. Shorter—

H. 832. To ratify, confirm and legalize the acts and orders of the commissioners court of Barbour county in establishing districts in which stock shall be prohibited from running at large.

February 4, read first, judiciary. February 7, favorably, read second. February 11, read third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Pettus, (by request)—

H. 833. To confer on the court of probate, jurisdiction to ascertain and declare heirship to persons dying intestate.

February 4, read first, judiciary. February 11, favorably, with amendment, read second. February 21, amended, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

(By request)—

H. 834. To regulate the practice in courts of this State in cases of successive and fraudulent attachments.

February 4, read first, judiciary. February 9, favorably, read second.



By Mr. Dupree—

H. 835. To prevent the disturbance of religious worship in this State.

February 4, read first, revision of laws.

February 7, adverse.

H. 836. To provide for the term of office of the tax commissioners of Tallapoosa county, and to define their duties.

February 4, read first, revision of laws. February 9, favorably, read second.

By Mr. Lewis—

H. 837. For the relief of James H. Sims of Mobile county.

February 4, read first, revision of laws. February 6, favorably, read second.

By Mr. Wade, (by request)—

H. 838. To create a board of medical examiners, their powers and duties, etc.

February 4, read first, public health. February 6, adverse.

By Mr. Mancill—

H. 839. To regulate the waiving the causes arising in the county court of Covington county.

February 4, read first, local legislation. February 13, favorably, read second.

By Mr. Moseley—

H. 840. To amend section 3781 of the Code of 1886.

February 4, read first, judiciary. February 7, adverse.

By Mr. Walker—

H. 841. To prohibit the sale of alcoholic, vinous or spirituous liquors within three miles of Gurley's Union church and Gurley's Normal Academy of Gurley, Madison county, Alabama.

February 4, read first, judiciary. February 14, favorably, read second. February 19, reay third, passed.

By Mr. Stone—

- H. 842. To amend section 2 of an act entitled "an act to authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties issued for, or on account of stock subscribed to railroad companies," approved February 23, 1883.

February 4, read first, revision of laws. February 7, favorably, read second. February 16, read third, passed. February 28, enrolled, signed, approved.

By Mr. Weaver—

- H. 843. To amend section 1319 of the Code.

February 4, read first, temperance. February 7, favorably, read second.

By Mr. Nelson—

- H. 844. To prevent pictures, blinds or screens of any kind being set up in saloons or in front of any bar, counter or house where any kind of beer or intoxicating drinks are sold or disposed of in any way.

February 4, read first, temperance. February 7, favorably, read second.

By Mr. Webb—

- H. 845. To incorporate and establish a charter for the town of Childersburg, in the county of Talladega.

February 4, read first, corporations. February 7, favorably, read second. February 11, read third, passed. February 21, enrolled and signed. February 26, approved.

By Mr. Carter—

- H. 846. To repeal an act entitled an act to authorize the laying off the county of Pike into commissioners districts, and providing for the election of commissioners by the qualified voters of the county.

February 4, read first, local legislation. February 6, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Summers, (by request)—

- H. 847. To confirm the incorporation and organization of the Sheffield Land, Iron and Coal company of Alabama, and to amend the same.

February 4, read first, corporations. February 9, favorably, read second.

By Mr. Wiley—

- H. 848. To incorporate the Alabama Land and Immigration company.

February 4, read first, fees and salaries.

- H. 849. To authorize the counties of Montgomery and Autauga to erect a bridge across the Alabama river at or near the city of Montgomery, and to authorize the board of revenue of Montgomery county and the court of county commissioners of Autauga county severally, to issue bonds to pay for the same.

February 4, read first, special committee. February 6, favorably, read second. February 18, substitute adopted, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. McElderry, (by request)—

- H. 850. To amend section 979 of the Code.

February 4, read first, education. February 13, favorably, with substitute, read second.

By Mr. Posey—

- H. 851. To pay J. W. Portis and James Cobbs for professional services rendered the State of Alabama in the case of the State of Alabama v. Z. T. Clements and his sureties, in Washington county circuit court.

February 4, read first, appropriations. February 13, favorably, read second. February 20, amended, read third, passed. February 28, concurred in senate amendment, enrolled, signed, approved.

By Mr. Johnson—

- H. 852. To amend an act entitled an act to make an additional appropriation out of the general school fund to the county of Winston.

February 4, read first, appropriations. February 18, adverse.

By Mr. Rattray—

- H. 853. To require the names of informers before grand juries to be written upon the backs of indictments in certain cases.

February 4, read first, revision of laws. February 7, adverse.

- H. 854. To define the dimensions of a cord of wood in Alabama, and to punish the violation of the same.

February 4, read first, revision of laws. February 7, adverse.

By Mr. Longshore—

- H. 855. To authorize and require the superintendent of education of the State of Alabama to draw a warrant on the State treasurer for the sum of one thousand seven hundred and forty-nine and 50-100 dollars, with interest on said amount at the rate of six per cent. per annum from the first day of March, 1859, to the first day of January, 1889, and place the same to the credit of the school fund in section 16, township 20, range 2 east, in Shelby county.

February 4, read first, revision of laws. February 14, favorably, read second. February 20, read third, passed.

- H. 856. To authorize and empower the commissioners court of Shelby county to appropriate three thousand dollars per annum for the years 1889 and 1890, out of the general fund in the county treasury, to aid the free public schools of said county.

February 4, read first, revision of laws. February 6, favorably, read second. February 11, read third, passed. February 20, signed. February 23, approved.

By Mr. Dupree—

- H. 857. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within three miles of county line school house in Daviston beat, in Tallapoosa county, Alabama.

February 4, read first, temperance. February 8, favorably, with amendment, read second. February 20, incorporated in senate 215.

By Mr. Stansel—

H. 858. To amend section 150 of the Code.

February 4, read first, revision of laws. February 7, favorably read second. February 11, read third, passed. February 25, concurred in senate amendment. February 26, enrolled, signed. February 28, approved.

H. 859. To amend section 1085 of the Code of Alabama.

February 4, read first, revision of laws. February 6, favorably, read second. February 11, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Lay—

H. 860. To provide for the disposition of the fund derived from the sale of 16th sections or other school lands, and to secure the interest thereon for the public schools of this State.

February 4, read first, ways and means. February 12, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Dark—

H. 861. To prevent stock from running at large in Alexander city beat number 2, in Tallapoosa county, and to authorize an election thereon.

February 4, read first, revision of laws. February 9, favorably, read second. February 16, amended, read third, passed.

By Mr. Carter—

H. 862. To amend an act to authorize the commissioners court of Crenshaw county to establish or abolish stock law districts, approved November 27, 1888.

February 4, read first, revision of laws. February 7, adverse.

By Mr. Ledyard—

H. 863. To regulate Mobile harbor.

February 4, read first, special committee. February 12, favorably, read second. February 15, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Bradley (by request, with notice and proof)—

H. 864. For the relief of S. F. Pennington, late sheriff of Lamar county.

February 4, read first, accounts and claims.  
February 9, favorably, read second. February 14,  
read third, passed. February 26, enrolled, signed.  
February 28, approved.

(By request)—

H. 865. To authorize U. L. Trull to survey and establish lines in Fayette county, in the State of Alabama.

February 4, read first, local legislation. February 6, favorably, read second. February 19, read third, passed. February 28, enrolled, signed, approved.

H. 866. To incorporate the Vernon Institute.

February 4, read first, education. February 9, favorably, read second. February 19, read third, passed. February 28, enrolled, signed, approved.

H. 867. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, beverages or bitters and fruits preserved in alcoholic liquors, within three miles of Salem church, in Good's precinct, in Lamar county.

February 4, read first, temperance. February 5, favorably, read second. February 20, incorporated in senate 215.

By Mr. Porter (with notice and proof)—

H. 868. To confirm the incorporation of the Young Men's Christian Association of Birmingham, a body corporate created under the general laws of Alabama, and to grant additional powers to said corporation and prescribe the method by which it may mortgage or alienate its property.

February 4, read first, judiciary. February 7, favorably, read second. February 25, read third, passed. February 28, enrolled, signed, approved.

By Mr. Darby—

H. 869. For the relief of G. N. Buchanan, of the county of Pike.

February 4, read first, accounts and claims.  
February 6, favorably, read second. February 16,



amended, read third, passed. February 28, enrolled, signed, approved.

By Mr. Smisson—

H. 870. To authorize the establishment of licensed grave yards.

February 4, read first, judiciary. February 7, adverse.

H. 871. To regulate the selections of students for beneficiary scholarships in the medical college of Alabama.

February 4, read first, public health. February 6, favorably, read second.

By Mr. Pettus—

H. 872. To amend section 4504 of the Code.

February 4, read first, judiciary. February 6, favorably, read second. February 11, special order for February 14, after journal.

H. 873. To amend section 4564 of the Code.

February 4, read first, judiciary. February 6, favorably, read second, special order for 11th February after journal. February 11, special order after journal February 14th.

H. 874. To amend section 4654 of the Code.

February 4, read first, judiciary. February 6, favorably, read second. February 11, special order February 14 after journal.

H. 875. To amend section 4575 of the Code.

February 4, read first, judiciary. February 6, adverse.

H. 876. To amend section 4655 of the Code.

February 4, read first, judiciary. February 6, favorably, read second. February 11, special order February 14 after journal.

H. 877. To amend section 4648 of the Code of Alabama.

February 4, read first, judiciary. February 6, favorably, read second. February 11, special order February 14 after journal.

By Mr. Pettus—

H. 878. To amend section 4641 of the Code of Alabama.

February 4, read first, judiciary. February 6, favorably, read second. February 11, substitute adopted, read third, passed. February 25, non-

concurrent in senate amendment. February 25, conference committee appointed.

- H. 879. To provide for the payment of costs on convictions of felony, where the defendant is sentenced to imprisonment in the penitentiary.

February 4, read first, judiciary. February 6, favorably with amendment, read second. February 11, amended, read third, passed. February 23, enrolled, signed. February 26, approved.

By Mr. Dupree—

- H. 880. To provide for the relief of James B. Turner of Tallapoosa county.

February 5, read first, accounts and claims. February 11, adverse, taken up, read second. February 20, read third, lost.

By Mr. Cunningham—

- H. 881. To incorporate the Tennessee River and Birmingham Railroad Company, to further the construction of said road, and to authorize it to acquire such roads as are on or along its route.

February 5, read first, corporations. February 13, favorably, read second. February 16, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Adams—

- H. 882. For the relief of C. C. Collier, late tax collector of Bibb.

February 5, read first, local legislation. February 13, adverse.

By Mr. Pettus—

- H. 883. To amend section 4583 (5002) of the Code.

February 5, read first, penitentiary and criminal administration. February 7, favorably, read second.

- H. 884. To amend section 10 of the Code of Alabama.

February 5, read first, judiciary. February 7, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

- H. 885. To amend section 4563 of the Code.

February 5, read first, judiciary. February 7, favorably, read second. February 11, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Porter—

H. 886. To authorize and empower railroad corporations, incorporated prior to the Code of 1886, under any general laws of incorporation of the State to acquire and hold, or to hold land or any estate or interest therein, when received in payment of subscription to, or for the capital stock of such corporation.

February 6, read first, commerce and common carriers.

By Mr. Knight—

H. 887. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of said railroad.

February 6, read first, local legislation. February 9, favorably, read second.

By Mr. Arrington—

H. 888. To amend an act entitled an act for the preservation of game animals and birds.

February 6, read first, local legislation. February 9, favorably, read second.

By Mr. Maley—

H. 889. To amend section 457 of the Code of Alabama.

February 6, read first, revision of laws. February 9, favorably, read second. February 11, tabled.

By Mr. McElderry—

H. 890. To amend the charter of the First Presbyterian Church of Talladega, Alabama.

February 6, read first, corporations. February 12, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Fitzpatrick (by request) —

H. 891. To amend section 1594 of the Code of Alabama.

February 6, read first, corporations. February 9, favorably, read second.

By Mr. McRee—

H. 892. To incorporate the Lowndes Rifles, Company D., 1st Regiment Alabama State Troops.

February 6, read first, corporations. February 9, favorably, read second. February 18, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Russell—

H. 893. To allow T. J. Middlebrook of Lowndes county, to sell a certain medicine known and called "Middlebrook's Oil of Life," also a medicine known as and called "Middlebrook's Chill Tonic," in the State of Alabama, without payment of any license.

February 6, read first, local legislation. February 9, adverse. February 19, taken up, read second.

By Mr. Adams—

H. 894. To amend section 4140 of the Code of Alabama.

February 6, read first, revision of laws. February 8, adverse.

By Mr. Clements—

H. 895. To provide for the election of two county surveyors for Tuscaloosa county.

February 6, read first, judiciary. February 9, favorably, read second.

By Mr. Curtis, (by request)—

H. 896. To prohibit the manufacture, sale and disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, within five miles of the academy in the town of Hillsboro, Lawrence county, Alabama.

February 6, read first, temperance. February 9, favorably, read second. February 20, incorporated in s. 215.

By Mr. Lewis—

H. 897. To amend sub-division 22 of section 629 of the Code.

February 6, read first, ways and means. February 9, favorably, read second. February 19, read third, passed. February 26, conference committee appointed. February 28, conference report concurred in, enrolled, signed, approved.

H. 898. To further regulate the compensation of water supply companies in this State.

February 6, read first, revision of laws. February 9, favorably, read second.

By Mr. Stowers—

H. 899. To amend section 1420 of the Code of 1886, so far as the same relates to Bullock county.

February 6, read first, public roads and highways. February 9, favorably, read second. February 11, read third, passed. February 25, concurred in senate amendment, enrolled and signed. February 28, approved.

By Mr. Lowe—

H. 900. To change the name of the East Birmingham Land Company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

February 6, read first, corporations. February 9, favorably, read second.

H. 901. To regulate the hiring and working of persons convicted of a misdemeanor.

February 6, read first, penitentiary and criminal administration. February 9, favorably, read second. February 11, continuing special order for February 14th. February 18, read third, passed.

H. 902. To regulate the practice and proceedings in civil cases in the circuit court of Jefferson county, in this State, and in supreme court on appeal from judgments rendered in said cases.

February 6, read first, judiciary. February 9,

favorably, read second. February 19, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Hundley—

H. 903. To regulate the registration and payment of the fees due State's witnesses before the grand jury, where the defendant is not arrested.

February 6, read first, judiciary. February 11, adverse report.

By Mr. Pitts—

H. 904. To provide for the payment of deputy solicitors. February 6, read first, judiciary. February 9, favorably, read second.

By Mr. Bush—

H. 905. To authorize the running at large of stock in districts in which stock are not permitted to run at large, and in districts that may hereafter be established in which stock shall not be permitted to run at large, from December 1st to February 14, of each year, in Barbour county.

February 6, read first, local legislation. February 15, favorably, read second.

By Mr. Powell—

H. 906. To fix commissions of tax assessor of Bullock county.

February 6, read first, fees and salaries. February 12, favorably, read second.

H. 907. To amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8th, 1880.

February 6, read first, agriculture. February 6, favorably, read second. February 18, read third, passed.

By Mr. NeSmith—

H. 908. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials, or fruits preserved in alcoholic liquors, in the town of Moulton, in Lawrence county, Alabama, and within



five miles thereof, or to deliver any of such liquors to persons in said town, or within five miles thereof.

February 6, read first, temperance. February 9, favorably, read second. February 20, incorporated in s. 215.

By Mr. Smaw—

H. 909. To amend section 3874 of the Code of Alabama.

February 6, read first, agriculture. February 9, favorably, read second. February 13, tabled.

By Mr. Long—

H. 910. To incorporate the town of Haleysville, in the county of Winston.

February 6, read first, corporations. February 12, favorably, read second. February 20, read third, passed. February 28, enrolled, signed and approved.

By Mr. Denson—

H. 911. To amend an act entitled an act to fix the price of license to be paid for State and county purposes by any person who applies for licenses to retail or wholesale vinous, spirituous or malt liquors, in any part of beat number eight, in Chambers county, Alabama, approved December 12, 1888.

February 6, read first, ways and means. February 9, favorably, read second. February 16, read third, passed.

By Mr. Stansel—

H. 912. To prevent the sale, manufacture or giving away of spirituous, vinous or malt liquors, within five miles of Union Chapel church, in Pickens county.

February 6, read first, temperance. February 8, favorably, read second. February 20, incorporated in senate 215.

By Mr. White of Dallas—

H. 913. To provide for the payment of the salary of the solicitor of the 10th judicial circuit.

February 6, read first, appropriations. February 7, favorably, read second. February 12, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Longshore (by request)—

- H. 914. To provide for and regulate the sale of spirituous, vinous and malt liquors, at Shelby Springs, in the county of Shelby, State of Alabama.

February 6, read first, temperance. February 12, adverse.

By Mr. Knight—

- H. 915. To create a new county from portions of Blount, Jefferson, Cullman and Walker counties, to be known as Warrior county.

February 7, read first, counties and county boundaries. February 9, favorably, read second. February 13, read third, passed.

- H. 916. To incorporate the National Guaranty and Trust Company.

February 7, read first, corporations. February 11, favorably, read second.

By Mr. Porter (by request)—

- H. 917. To authorize the recording of certain conveyances of real estate, where parties failed to record within twelve months from their date.

February 7, read first, corporations. February 12, adverse.

- H. 918. To make statements made in the body of deeds and conveyances of corporations, that the person signing the same was duly authorized thereto, prima facie evidence of authority.

February 7, read first, corporations. February 9, adverse.

- H. 919. To require all fines and forfeitures imposed or collected by the various courts of record of Jefferson county, Alabama, to be paid in lawful money of the United States.

February 7, read first, corporations. February 9, favorably, read second.

- H. 920. To amend section 1588 of the Code of Alabama.

February 7, read first, corporations. February 9, favorably, read second.

- H. 921. To form a new county, to be named and called Bessemer county.

February 7, read first, judiciary. February 9, favorably, read second. February 12, read third and passed.

By Mr. Stone—

H. 922. To pay mileage to the officers of the general assembly of Alabama.

February 7, read first, judiciary. February 9, favorably, read second. February 12, amended, read third and lost. February 13, reconsidered, amended, read third and lost.

By Mr. Paine—

H. 923. To change the boundary line between Tallapoosa and Macon counties, so as to detach Salem school house and two acres of land from the former and attach them to Macon county.

February 7, read first, revision of laws. February 9, favorably, read second.

By Mr. Rabb—

H. 924. To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

February 7, read first, judiciary. February 9, favorably, read second. February 12, read third and passed. February 26, enrolled and signed. February 28, approved.

By Mr. Weaver—

H. 925. To amend an act to regulate the issuance of license to sell vinous, spirituous or malt liquors, in Morgan county.

February 7, read first, temperance. February 12, favorably, read second. February 19, read third, passed.

By Mr. Wade—

H. 926. To constitute the city of Gadsden a separate school district.

February 7, read first, public roads and highways. February 9, favorably, read second. February 19, read third, passed. February 28, enrolled, signed and approved.

By Mr. Henderson—

H. 927. To declare null and void mortgages or conveyances of the homestead unless possession is given.

February 7, read first, revision of laws. February 13, adverse.

- H. 928. To prohibit the giving of mortgages to secure future indebtedness or unascertained indebtedness.

February 7, read first, judiciary. February 9, adverse.

By Mr. Maddox —

- H. 929. To repeal an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters within five miles of Village Springs in Blount county, or within five miles of Hosky's Chapel in St. Clair, or within five miles of Fishing Creek church, St. Clair, be repealed, so far as relates to Fishing Creek church in St. Clair county.

February 7, read first, temperance. February 28, adverse.

By Mr. Higgins —

- H. 930. To amend sections one, two, three, four and five of an act entitled an act to establish a separate school district to be known as the Cullman School District in Cullman county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 14, 1885.

February 7, read first, education. February 11, adverse.

By Mr. Wade —

- H. 931. To establish a new charter for the town of Attalla.

February 7, read first, judiciary. February 9, favorably, read second. February 12, read third, passed. February 26, enrolled, and signed. February 28, approved.

By Mr. Hardy —

- H. 932. To incorporate Pleasant Hill Academy, Dallas county, Alabama.

February 7, read first, local legislation. February 9, favorably, read second. February 12, read third, passed. February 21, enrolled and signed. February 26, approved.

By Mr. Ledyard—

H. 933. For the aid of the Medical College of Alabama, a department of the University of Alabama.

February 7, read first, public health. February 11, favorably, read second.

By Mr. Hundley—

H. 934. To incorporate the Southern Iron Company.

February 7, read first, commerce and common carriers. February 13, favorably, read second. February 14, read third, lost. February 15, reconsidered, amended, read third, passed. February 25, concurred in senate amendment. February 26, enrolled and signed. February 28, approved.

By Mr. Summers, (by request—

H. 935. To prohibit the sale, giving away, delivery, or otherwise disposing of vinous, spirituous or malt liquors, or any intoxicating bitters within four miles of Pine Grove church in Colbert county, and within four miles of Mountain Mills church in Colbert county.

February 7, read first, temperance. February 12, favorably, read second. February 20, incorporated in s. 215.

By Mr. Denson—

H. 936. To amend section 2360 of the Code of 1886.

February 7, read first, judiciary. February 9, favorably, read second.

By Mr. Stansel—

H. 937. To relieve Francis L. Everett and Eliza B. Everett, of the disabilities of non-age.

February 7, read first, revision of laws. February 9, favorably, read second. February 19, read third, passed. February 28, signed, approved.

By Mr. Lay—

H. 938. For the disposition of indictments where the defendant has been convicted of a felony.

February 7, read first, judiciary. February 9, adverse.

By Mr. Lay—

H. 939. To provide for the classification and care of the records and papers appertaining to the office of the Secretary of State.

February 7, read first, judiciary. February 9, favorably, read second.

H. 940. To amend section 4608 of the Code.

February 7, read first, judiciary. February 9, favorably, read second.

By Mr. Williams—

H. 941. To prohibit the sale or giving away of spirituous, vinous or malt liquors, or fruits preserved in alcohol or alcoholic liquors, within three miles of Oak Grove church, Calhoun county.

February 8, read first, temperance. February 9, favorably, read second. February 20, incorporated in s. 215.

By Mr. Lay—

H. 942. To amend sections 2 and 3 of an act entitled an act to pay salaries to solicitors instead of the fees they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

February 8, read first, ways and means. February 12, favorably, with substitute, read second. February 15, amended, read third, passed. February 26, non-concurred in senate amendment. February 28, committee of conference appointed, conference report concurred in, enrolled, signed, approved.

By Mr. Anderson—

H. 943. To change the names of two minor DeLoach children to the name of Perryman.

February 8, read first, judiciary. February 11, adverse.

By Mr. McRee—

H. 944. To fix the salary and the term of office of the county health officer of Lowndes county.

February 8, read first, public health. February 13, adverse.



By Mr. Dupree (by request)—

H. 945. To amend section 6 of an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16, 1879.

February 8, read first, corporations. February 12, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Clements (by request)—

H. 946. To authorize justices of the peace to appoint clerk in said office.

February 8, read first, judiciary. February 11, adverse.

By Mr. Longshore—

H. 947. To incorporate the Iron Belt Industrial and Improvement Company of Alabama.

February 8, read first, corporations. February 11, favorably, read second. February 20, indefinitely postponed.

By Mr. Stansel—

H. 948. To prevent the manufacture, sale or giving away of spirituous, vinous or malt liquors within five miles of Union Chapel church, in Pickens county.

February 8, read first, temperance. February 12, favorably, read second. February 20, incorporated in senate 215.

By Mr. Clements—

H. 949. To repeal an act entitled an act to amend section 1 of an act to incorporate the town of Northport, approved February 24, 1887.

February 8, read first, judiciary. February 11, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.

By Mr. Barnett—

H. 950. To amend section four of an act to pay salaries to solicitors instead of fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

February 8, read first, fees and salaries.

By Mr. Miller (by request)—

- H. 951. For the relief of P. H. Pitts, Esq., solicitor of the fourth judicial circuit of the State of Alabama.  
February 8, read first, fees and salaries.

By Mr. George—

- H. 952. To pay Robt. Hasson, door-keeper of the house, and James Armstrong, door-keeper of the senate, for articles purchased for the Senate and House of Representatives.

February 8, read first, appropriations. February 12, favorably, read second. February 15, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. Adams—

- H. 953. To amend sub-division 37 of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt and for the public schools, approved December 12, 1888.

February 8, read first, appropriations. February 19, adverse.

By Mr. Pitts—

- H. 954. For the relief of the heirs of Daisy Hardy, deceased.  
February 9, read first, judiciary. February 12, favorably, read second.

By Mr. Watson—

- H. 955. To regulate the granting of licenses to sell spirituous or vinous liquors in that part of beat six lying east of Patsaliga river, in Crenshaw county, Alabama.  
February 9, read first, temperance. February 28, adverse.

By Mr. Ledyard—

- H. 956. To amend section 4067 of the Code.  
February 9, read first, judiciary, February 12, adverse.

By Mr. Porter—

- H. 957. To amend section 11 of an act approved February 18, 1887, entitled an act relating to the working of male convicts sentenced to hard labor for the county of Jefferson, upon the public roads of said county, so that said section may read as follows.

February 9, read first, judiciary. February 26, adverse.

By Mr. Cunningham—

- H. 958. For the preservation of game animals and birds, in the counties of Lauderdale and Colbert.

February 9, read first, local legislation. February 11, favorably, read second.

By Mr. Woolf—

- H. 959. To provide for the collection of State and county taxes where tax payers list their property for taxes in one county and remove to another without paying their taxes.

February 9, read first, ways and means. February 12, favorably, read second. February 15, passed.

- H. 960. Authorizing courts of county commissioners or county boards of revenue, to refund in certain cases, money paid upon forfeited bail bonds.

February 9, read first, judiciary. February 12, favorably, read second.

By Mr. Lee—

- H. 961. To change the boundary line between Conecuh and Escambia counties.

February 9, read first, counties and county boundaries.

By Mr. McLendon—

- H. 962. To prevent the sale, giving away, or otherwise disposing of spirituous or intoxicating liquors on Sunday.

February 9, read first, temperance. February 12, favorably, read second. February 19, tabled.

By Mr. Cunningham—

H. 963. To authorize Alex. D. Caffee to establish a ferry across the Tennessee River.

February 9, read first, accounts and claims. February 12, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Henderson—

H. 964. To amend an act entitled an act to prevent public drunkenness.

February 9, read first, revision of laws. February 13, adverse.

By Mr. Winston—

H. 965. To amend section one of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Marshall and other counties, approved March 1, so far as the same relates to Marshall county.

February 9, read first, temperance. February 12, adverse.

By Mr. Porter—

H. 966. To provide a more perfect system of accounting by all officers of Jefferson county, and to create the office of examiner of accounts for the said county.

February 9, read first, judiciary. February 26, adverse.

By Mr. Lowe, (by request)—

H. 967. To provide for the registration of judgments and decrees for the payment of money, and constituting the same a lien upon real property.

February 9, read first, judiciary. February 26, adverse.

(By request)

H. 968. To provide for the satisfaction of mortgages and other liens of record.

February 9, read first, revision of laws. February 13, adverse.

(By request)—

H. 969. To provide a mode of levy and notice of levy upon real estate under a writ of attachment.

February 9, read first, revision of laws. February 13, adverse.

By Mr. Moseley—

H. 970. To create the office of cotton weigher of Limestone county, to provide for filling the same, and to prescribe the duties and compensation thereof.

February 9, read first, ways and means. February 12, favorably, read second. February 18, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Smaw—

Petition from citizens of Greene county favoring local option.

February 11, read first, temperance.

By Mr. Cunningham—

H. 971. To amend section 3 of an act for the protection of plantations and crops within certain limits in Lauderdale county, Alabama, approved December 14, 1869.

February 11, read first, local legislation. February 13, favorably, read second.

By Mr. Benners—

H. 972. To require the probate judge of Hale county to make indexes direct and cross to all deeds and other conveyances recorded in his office, setting out the name of each grantor and grantee, and providing his compensation for same.

February 11, read first, judiciary. February 14, favorably, read second. February 23, read third, passed. February 28, enrolled, signed, approved.

By Mr. Fitzpatrick—

H. 973. To regulate the finances of Montgomery county.

February 11, read first, ways and means. February 14, favorably, read second. February 19, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

By Mr. McLeod, (with notice and proof and petition)—

- H. 974. For the relief of R. G. Allen, as administrator of W. G. Allen, deceased.

February 11, read first, revision of laws. February 14, favorably, read second. February 16, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed, approved.

(With notice, proof and petition)—

- H. 975. For the relief of Virginia E. Carter, as administratrix of David Carter, deceased.

February 11, read first, revision of laws. February 14, favorably, read second. February 18, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed and approved.

By Mr. Lowe—

- H. 976. To require the custodian of the books of any corporation to furnish any officer having in his hands any process for the collection of debts with a statement of the number of shares and amount of interest therein held by the defendant in such corporation.

February 11, read first, corporations. February 14, favorably, read second.

- H. 977. To amend an act entitled an act to establish the city court of Birmingham, approved December 9, 1884.

February 11, read first, corporations. February 14, favorably, read second.

- H. 978. To fix the compensation of the judge of the city court of Birmingham.

February 11, read first, judiciary. February 14, favorably, read second.

- H. 979. To amend section 4492 of the Code.

February 11, read first, judiciary. February 14, adverse.

By Mr. Sowell—

- H. 980. To authorize the mayor and aldermen of Elkmont, in Limestone county, to license, regulate, restrain or prohibit the sale of liquors in that town.



February 11, read first, temperance. February 14, adverse. February 18, taken up, read second. February 19, read third, passed. February 28, signed and approved.

By Mr. Pettus (by request)—

H. 981. To preserve and keep the peace at the polls on election days.

February 11, read first, privileges and elections. February 13, favorably, read second.

By Mr. Fitzpatrick (by request)—

H. 982. To provide for the payment of an account for powder bought by the Second regiment A. S. T., in the year 1885.

February 11, read first, accounts and claims. February 18, adverse.

By Mr. Bogart—

H. 983. To amend section 67 of the Code.

February 11, read first, fees and salaries.

By Mr. Fitzpatrick (by request)—

H. 984. To establish the office of inspector of weights and measures in the counties of this State, and to prescribe the duties incident thereto.

February 11, read first, judiciary. February 14, adverse.

By Mr. Lee—

H. 985. To establish a separate school district in Conecuh, to be known as the Fortner district.

February 11, read first, education. February 12, favorably, read second.

By Mr. Barnett—

H. 986. To provide for an additional watchman at the capitol.

February 11, read first, judiciary. February 14, favorably, read second. February 19, read third, passed. February 26, enrolled and signed. February 28, approved.

H. 987. For the relief of B. F. Noble of Montgomery county.

February 11, read first, fees and salaries. Feb-

ruary 12, favorably, read second. February 15, read third, passed. February 28, enrolled, signed and approved.

By Mr. Clements—

H. 988. To change the name of the Gulf and Chicago Air Line Railway Company, as chartered under the general laws of the State of Alabama, to the Gulf and Chicago Railway Company, enlarge its powers, and to further construction of said railway. February 11, read first, judiciary.

By Mr. Wade—

H. 989. To amend the title and also sections one and five of an act to authorize the mayor and board of aldermen of the city of Gadsden to negotiate a loan for lighting said city by either gas or electricity, for drainage, sewerage and for sanitary purposes, and to issue bonds for the payment of the same, approved February 28, 1887.

February 11, read first, public roads and highways. February 12, favorably, read second. February 21, read third, passed. February 28, signed, approved.

By Mr. Kyle—

H. 990. To constitute a separate school district, to be known as the Salem school district, in the county of Lee and State of Alabama, and for the appointment of a board of trustees therefor.

February 12, read first, education. February 14, favorably, read second. February 15, read third, passed. February 28, enrolled, signed and approved.

By Mr. NeSmith (by request)—

H. 991. To incorporate the male and female academy, located in the town of Leighton, Lawrence county.

February 12, read first, corporations. February 13, favorably, read second. February 19, read third, passed. February 26, concurred in senate amendment. February 28, enrolled, signed and approved.

By Mr. Fitzpatrick—

H. 992. To define the obligation taken by pupils entering normal schools, and to provide for the enforcement thereof.

February 12, read first, education. February 16, favorably, read second.

By Mr. French—

H. 993. For the relief of Alice Giddens, a teacher in the public school of Jackson county.

February 12, read first, accounts and claims.

By Mr. Fitzpatrick, (by request)—

H. 994. To amend an act entitled an act to prohibit the sale, giving away, &c., (omnibus bill of 1886-7).

February 12, read first, education. February 18, adverse report.

(By request)—

H. 995. To authorize the city of Montgomery to maintain a hospital and to provide for the expenses of quarantine regulations.

February 12, read first, judiciary. February 20, adverse report.

By Mr. White of Dallas—

H. 996. To amend section 3 of an act entitled an act to revive and amend the act incorporating the Selma Fair Company, approved February 9, 1860.

February 12, read first, judiciary. February 14, favorably, read second.

By Mr. Cunningham—

H. 997. To confirm the incorporation and organization of the Florence Investment Company, under the proceedings heretofore had in the probate court of the county of Lawrence.

February 13, read first, revision of laws.

By Mr. Porter—

H. 998. To require the clerk of the circuit court of Jefferson county, in this State, to index the several record books in his office, which are required by law to be indexed, prior to the year 1887, and to allow him compensation therefor out of the county treasury of said county.

February 13, read first, judiciary. February 15, favorably, read second.

By Mr. Smaw—

H. 999. For the preservation of game animals and birds in the county of Greene.

February 13, read first, local legislation. February 18, favorably, read second. February 19, amended, read third, passed. February 28, enrolled, signed, approved.

(By request)—

H. 1000. To prevent any person from going on or trespassing upon certain lands in Greene county.

February 13, read first, local legislation. February 16, read second, adverse.

By Mr. Carter—

H. 1001. To amend section 8 of an act to constitute the corporate limits of the city of Troy in Pike county, a separate school district, by the name of the School District of the City of Troy, approved February 26, 1887.

February 13, read first, education. February 16, favorably, read second.

By Mr. Parker—

H. 1002. To repeal an act entitled an act to prevent the compelling of women and children or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

February 13, read first, public health.

H. 1003. To incorporate the town of Warrior.

February 13, read first, corporations. February 16, favorably, read second.

By Mr. McLeod—

H. 1004. To regulate the fees of the sheriff of Clarke county.

February 13, read first, judiciary. February 14, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Paine—

- H. 1005. To incorporate the Tuskegee, Tallassee and Sylacauga Railroad Company, and to further the construction of said railroad.

February 14, read first, revision of laws. February 18, favorably, read second. February 19, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Bevis—

- H. 1006. To confirm the incorporation and organization of the Florence Building and Investment Association and to give said company additional powers.

February 14, read first, corporations. February 16, favorably, read second.

By Mr. Wade—

- H. 1007. To amend sections 2, 3, 5, 7 and 20 of an act entitled an act to establish a new charter for the city of Gadsden, approved January 27, 1883.

February 14, read first, revision of laws. February 18, favorably, read second.

By Mr. Sowell—

- H. 1008. To prohibit the sale or giving away liquors in four miles of Hebron church and academy, in Limestone county.

February 14, read first, temperance. February 16, favorably, read second. February 20, incorporated in s. 215.

- H. 1009. To prohibit the sale or giving away of liquors within four miles of Harmony Grove church and academy, in Limestone county.

February 14, read first, temperance. February 16, favorably, read second. February 20, incorporated in s. 215.

By Mr. Dark—

- H. 1010. To regulate the disbursing of the fine and forfeiture fund of Tallapoosa county, so as to require the treasurer of said county to pay all claims arising against said fund according to the registration.

February 14, read first, local legislation. February 16, favorably, read second.

By Mr. Clements—

- H. 1011. To require the sheriff of the counties in this State to keep a correct record in his office of the name of each and every prisoner in jail.

February 15, read first, judiciary. February 16, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. White, of Dallas—

- H. 1012. To amend section 1664 of the Code of Alabama.

February 15, read first, judiciary. February 16, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

- H. 1013. To provide for the issuance of registered bonds and the exchange of the same for the coupon bonds of this State, authorized by the act approved February 13, 1879.

February 15, read first, judiciary. February 16, favorably, read second.

By Mr. Woolf—

- H. 1014. To provide for the settlement of certain claims against the State.

February 15, read first, judiciary. February 16, favorably, read second. February 21, amended, lost.

By Mr. Williams—

- H. 1015. To provide for an increase of payment to the sheriff of Calhoun county for ex officio services.

February 16, read first, fees and salaries.

By Mr. Pitts—

- H. 1016. To amend section 211 of the Code of Alabama.

February 16, read first, judiciary. February 20, adverse.

By Mr. Henderson—

- H. 1017. To amend section one of an act to regulate the payment of claims against the general fund of Randolph county, approved November 27, 1888.

February 16, read first, special committee. February 18, favorably, read second. February 20, read third, passed. February 28, enrolled, signed, approved.



By Mr. Kemp—

- н. 1018. To authorize the county commissioners of Monroe county to levy a special tax of one-fifth of one per cent for bridge purposes.

February 16, read first, revision of laws. February 18, favorably, read second. February 19, read third, passed. February 26, enrolled, signed. February 28, approved.

By Mr. Webb—

- н. 1019. To appropriate two and three per cent. fund now in the treasury of Alabama and to be hereafter received.

February 16, read first, ways and means. February 19, adverse.

By Mr. Clements—

- н. 1020. To fix the rate of taxation in this State.

February 18, read first, special committee. February 19, favorably, read second. February 20, read third, passed. February 25, enrolled, signed. February 26, approved.

By Mr. Dark—

- н. 1021. To amend section 11 of an act to provide for the publication and distribution of the Code, approved February 21, 1887, so as to include notaries public.

February 18, read first, judiciary. February 20, adverse.

By Mr. White, of Dallas—

- н. 1022. To amend an act entitled an act to incorporate the city of Wetumpka, approved January 30, 1889.

February 18, read first, judiciary. February 19, favorably, read second.

- н. 1023. To authorize and require the sheriff of Elmore county to receive in the county jail all persons arrested or convicted for a violation of the ordinances of the city of Wetumpka.

February 18, read first, judiciary. February 19, favorably, read second.

By Mr. Fitzpatrick—

- н. 1024. To amend an act to fix the fees of justices of the

peace and constables in the county of Montgomery, approved March 1, 1881.

February 18, read first, fees and salaries. February 20, favorably, read second.

By Mr. Longshore—

H. 1025. To provide for the permanent improvement of the public roads of Shelby county.

February 18, read first, revision of laws. February 20, favorably, read second.

By Mr. Knight—

H. 1026. Regulating the application of the sixteenth section fund in township 19, range 5, in Hale county.

February 18, read first, education. February 19, adverse.

By Mr. Rabb—

H. 1027. To preserve order at the Douglassville campground, in the county of Escambia.

February 18, read first, special committee. February 19, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Lay—

H. 1028. To amend an act entitled an act to provide for returning and allowing proper credits for taxes wrongfully assessed and collected, approved December 6, 1888.

February 19, read first, ways and means. February 20, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Denson—

H. 1029. To prescribe and regulate the rights of action for injuries causing death.

February 19, read first, judiciary. February 23, adverse.

H. 1030. To amend section 12 of an act entitled an act to establish a new charter for the town of Lafayette,

in the county of Chambers, approved February 26, 1881.

February 19, read first, special committee. February 20, favorably, read second. February 21, read third, passed. February 28, enrolled, signed, approved.

By Mr. Longshore—

H. 1031. To appropriate all money arising from the sale of tags to be attached to fertilizers sold or exchanged in the State of Alabama, except the salaries annually due the commissioner of agriculture and his clerks, to the common school fund.

February 19, read first, revision of laws. February 20, favorably, read second.

By Mr. Fitzpatrick (by request)—

H. 1032. To authorize the mayor and aldermen of the city of Wetumpka, to issue bonds of said city not to exceed five thousand dollars to aid the county of Elmore, in the purchase of the Wetumpka bridge for the purpose of making the same free to the public.

February 19, read first, judiciary. February 20, favorably, read second.

By Mr. White—

H. 1033. To amend section 791 of the Code of Alabama.

February 20, read first, revision of laws. February 23, favorably, read second.

By Mr. Powell—

H. 1034. To incorporate the Pensacola, Union Springs and Chattanooga Railroad Company.

February 20, read first, revision of laws. February 23, favorably, read second. February 25, read third, passed. February 28, enrolled, signed, approved.

By Mr. Higgins—

H. 1035. To repeal section 1288 of the Code, so far as the county of Cullman is concerned.

February 21, read first, public health. February 25, adverse.

## HOUSE JOINT RESOLUTIONS.

By Mr. Hundley—

- H. J. R. 1. Proposing an amendment to section 2 of article 11 of the constitution of Alabama.

November 18, read first, judiciary. November 21, favorably, with amendment, read second. November 30, amended read third, passed.

- H. J. R. 2. Proposing an amendment to section 7 of article 11 of the constitution of Alabama.

November 19, read first, judiciary. November 21, favorably, read second. November 30, read third, passed.

By Mr. Winston—

- H. J. R. 3. To provide for submitting the question of a constitutional convention to the people.

November 19, read first, revision of laws. November 22, favorably, read second. February 5, read third, passed.

By Mr. Nisbet—

- H. J. R. 4. Proposing amendment to section 1, article 8 of the constitution of Alabama.

November 28, read first, revision of laws. January 31, favorably, read second. February 9, read third, passed.

By Mr. Winston—

- H. J. R. 5. A joint resolution and memorial of the general assembly of Alabama, to the congress of the United States, asking for small loans of money out of the treasury of the United States, to the farmers of Alabama, upon their improved farms, and to set apart in the treasury of the United States, fifteen million dollars for that purpose.

January 30, read first, federal relations. February 5, adverse.

By Mr. Stansel—

- H. J. R. 6. To accept the grant of congress under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto.

February 5, read first, revision of laws. February 10, favorably, read second. February 11,

read third, passed. February 26, signed. February 28, approved.

- H. J. R. 7. Authorizing the Governor to have bound the printed reports of the various State officers for certain purposes.

February 12, read first, judiciary. February 14, favorably, read second.

By Mr. Watson—

- H. J. R. 8. Relating to the annexation of West Florida to the State of Alabama.

February 13, read first, judiciary. February 26, favorably, read second.

# SENATE BILLS

*Considered by House, 1888-89.*

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- s. 1. To amend section 714 of the Code of 1886.  
December 5, read first, special committee.  
December 6, favorably, read second. December 18,  
11, read third, passed. December 12, signed.

By Mr. Brewer—

- s. 2. In relation to sale of cotton, etc., by factors and others.  
February 8, read first, revision of laws. February 14, favorably, read second. February 18, read third, passed. February 19, committee of conference. February 28, conference committee returned without action.

By Mr. Graham—

- s. 3. To authorize the sale of certain copies of the Alabama Reports, and to fix the price thereof.  
November 21, read first, public printing.  
s. 4. To amend section 710 of the Code of Alabama.  
November 21, read first, judiciary. November 24, read second. November 26, amended, read third, passed. November 28, signed.

By Mr. Burnett—

- s. 5. To form a school district in Cherokee county to be called the Merlat School District.  
November 27, read first, education.  
s. 6. To incorporate the Alabama and Georgia Railroad Company.  
November 24, read first, corporations. November 30, read second. February 20, read third, passed. February 25, signed.

By Mr. Grant—

- s. 7. To incorporate the Anniston Water Supply Company.



February 5, read first, corporations. February 9, favorably, read second. February 18, read third, lost. February 19, reconsidered, recommitting to corporations. February 19, read third, passed.

By Mr. Milner—

- s. 9. To amend an act to pay the solicitor of Jefferson county an annual salary by the county, and to require all fees now allowed by law in the county, city and criminal courts of said county, to said solicitor, to be paid into the treasury of said county, approved February 28, 1887, and to provide for the pay of an assistant solicitor by the county.

December 1, read first, revision of laws. December 7, favorably, read second.

- s. 10. To amend an act to provide for the election of a solicitor for Jefferson county, and define his duties, approved November 27, 1886, and to provide for an assistant solicitor for Jefferson county, and define his duties.

December 1, read first, revision of laws. December 7, favorably, read second.

- s. 12. To provide for the interposition of claims in statutory detinue.

November 24, read first, judiciary. November 27, read second. February 20, read third, passed. February 23, signed.

By Mr. Harris—

- s. 13. To fix the time for taking up the criminal docket of the circuit court of Lee county.

November 22, read first, judiciary. November 24, read second.

By Mr. Parks—

- s. 14. To amend section 3812 of the Code.

November 21, read first, judiciary. November 27, adverse.

By Mr. Compton—

- s. 16. To amend section 3544 of the Code.

November 21, read first, revision of laws. November 27, read second.

- s. 17. To amend section 835 of the Code.

November 20, read first, revision of laws. November 22, favorably, read second. February 23, read third, passed. February 23, signed.

By Mr. Almon—

- s. 18. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within five miles of Wheeler's Chapel church and Camp Ground church in Marion county.

November 21, read first, temperance. November 23, read second. November 30, special committee. December 5, favorably in substitute, read second.

By Mr. Skeggs—

- s. 20. To amend an act entitled an act to prescribe the term of office of members of the court of county commissioners of Morgan, Cherokee, St. Clair and Cleburne counties, and to fix their compensation, approved February 26, 1887, so far as the same relates to the counties of Morgan, St. Clair and Cherokee.

November 21, read first, local legislation. November 23, favorably, read second. January 29, read third, passed. February 2, signed.

By Mr. Haralson—

- s. 21. To incorporate the Guntersville, Fort Payne and Chattanooga Valley Railroad Company.

November 21, read first, commerce and common carriers. November 23, favorably, read second. December 6, read third, passed. December 8, signed.

By Mr. Burnett—

- s. 22. To amend an act entitled an act to release the Tennessee and Coosa Rail Road Company from its indebtedness to the State.

February 5, read first, revision of laws. February 12, favorably, read second. February 14, read third, passed. February 16, signed.

By Mr. Graham—

- s. 23. To incorporate the Anniston and Montgomery Rail Road Company, and to further the construction of said railroad.

December 10, read first, judiciary. January 30, favorably, read second. January 31, read third, passed. February 16, signed.

By Mr. Browne—

- s. 24. To amend section 2998 of the Code.

November 24, read first, revision of laws. November 27, read second.

By Mr. Huey—

- s. 26. To regulate the summoning of witnesses in criminal cases in the circuit courts of Hale, Perry, Dallas, Lowndes and Wilcox counties.

November 22, read first, judiciary. November 24, favorably, read second. December 10, read third and passed. December 12, signed.

By Mr. Parks—

- s. 27. To amend section 1399 of the Code.

November 20, read first, judiciary. November 22, favorably, with amendment, read second.

By Mr. Harris—

- s. 28. To amend section 3757 of the Code of 1886.

November 23, read first, judiciary. November 27, adverse.

By Mr. Graham—

- s. 30. To amend section 5 of an act entitled an act to provide for a solicitor for Montgomery county, approved February 17, 1887.

November 22, read first, judiciary. November 24, favorably, read second. January 29, read third, passed. February 4, by unanimous consent, amended, read third and passed. February 6, signed.

- s. 31. To further define and punish the crime of embezzlement.

November 30, read first, judiciary. December 10, favorably, read second. February 28, read third, passed and signed.

- s. 32. To require justices of the peace and other committing magistrates to report all cases of persons held by them on preliminary trial to the grand jury on the second day of each term of the circuit and city courts.

November 22, read first, revision of laws. November 30, read second. February 28, read third, passed and signed.

By Mr. Compton—

- s. 33. To amend section 4002 of the Code.

November 22, read first, penitentiary and criminal administration. November 23, favorably, read second.

By Mr. Godfrey—

- s. 34. To amend section 3932 of the Code.

November 23, read first, judiciary. November 27, read second. February 28, read third, passed and signed.

By Mr. Smith—

- s. 35. To ratify the consolidation of the Mobile, Hattiesburg and Jackson Railroad Company of Alabama and Mississippi, under the name of the Mobile, Jackson and Kansas City Railroad Company, and to confer further franchises on said consolidated Company.

November 23, read first, committee on commerce and common carriers. November 26, favorably, read second. December 7, read third and passed. December 10, signed.

By Mr. Tayloe—

- s. 38. To establish a separate school district, to be known as the "Moss Grove School District," Marengo county.

November 21, read first, education. November 23, favorably, read second. February 19, substitute adopted, read third, passed. February 25, signed.

By Mr. Brewer—

- s. 39. To amend section 3, and to repeal section 5, of an

act to regulate the fine and forfeiture fund of Lowndes county, and the disposal of moneys arising from fines, forfeitures and convict labor, approved February 7, 1885.

November 21, read first, local legislation. November 23, favorably, read second. December 12, read third, passed and signed.

By Mr. Tayloe—

s. 43. To amend sections 3, 6, 13 and 7 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 23, 1887.

November 30, read first, judiciary. December 10, favorably, read second. February 20, special order for February 21, after journal. February 21, amended, read third, passed. February 25, signed.

By Mr. Williams—

s. 44. To amend section one of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Talladega, Bullock, Madison, Mobile and Baldwin, so far as the same relates to the county of Baldwin.

November 23, read first, local legislation. November 26, favorably, with amendment, read second. February 1, amended, read third, and passed. February 13, conference committee concurred in. February 25, signed.

By Mr. Parks—

s. 45. To amend section 1347 of the Code.

November 23, read first, revision of laws. November 27, favorably, read second.

By Mr. Lang—

s. 46. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, at or within two miles of Bethlehem Baptist church, in beat 9, Barbour county.

November 23, read first, temperance. November 27, read second. November 30, referred to

special committee. December 5, favorably, substitute 163, read second.

By Mr. Compton—

- s. 47. To amend and ratify the charter of the Selma Land, Improvement and Furnace Company.

December 5, read first, judiciary. December 6, favorably, read second. December 7, read third, passed, signed.

By Mr. Almon—

- s. 48. To confer certain rights and privileges, in the State of Alabama, upon the Helena, Tupelo and Decatur Railroad Company, a corporation chartered by the laws of the State of Mississippi, and for other purposes.

November 26, read first, corporations. February 23, favorably, read second. February 28, read third, passed, signed.

By Mr. Brewer—

- s. 49. To codify the local laws of each county in the State.

November 23, read first, revision of laws. November 27, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Browne—

- s. 50. To allow the transfer of instruments in writing given to secure debts to the surety or securities paying the debt.

November 22, read first, judiciary. November 24, favorably, read second.

- s. 52. To provide for a mechanical and industrial department in the Alabama Institute for the Deaf.

December 7, read first, education. December 10, favorably, read second. January 29, read third, passed. February 2, signed.

- s. 53. To provide for additional improvements and buildings for the Alabama Academy for the Blind, and the furnishing of the same.

December 7, read first, education. December 10, favorably, read second. December 12, read third, passed, signed.



- s. 54. To provide for the insuring and repairing upon the property of the State under the management and control of the Board of Trustees of the Alabama Institute for the Deaf, and to make appropriation therefor.

November 23, read first, appropriations. November 27, favorably, read second. December 7, read third, passed. December 10, signed.

By Mr. Almon—

- s. 55. To amend section 811 of the Code.

November 24, revision of laws. November 27, favorably, read second.

- s. 56. To amend section 2 an act entitled an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, in beat No. 2, known as Russellville beat, in Franklin county.

December 5, read first, temperance. December 7, favorably, read second.

By Mr. Brewer—

- s. 57. To fix the amount of the salary of the judge of the county court of the county of Lowndes, and to dispose of the fees of said office.

November 23, read first, fees and salaries. December 1, favorably, read second. December 11, amended, read third, passed. December 12, signed.

By Mr. Huey—

- s. 58. To establish a State Female Industrial School and University in Alabama.

January 30, read first, education. February 11, adverse report.

By Mr. Lang—

- s. 59. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, and other places therein named, approved February 28, 1887, so far as the same relates to within three miles of the Methodist Episcopal Church,

South, in Clayton, Barbour county, and within half a mile of the Catholic church at Battle's wharf, in Baldwin county.

November 24, read first, temperance. November 27, favorably with amendmeni, read second. December 7, amended, read third, passed. December 12, signed.

- s. 60. To establish a separate school district, to be known as the Helms School District in beat 13, Barbour county.

November 24, read first, education. November 27, favorably, read second. February 19, substitute adopted, read third and passed.

By Mr. Godfrey—

- s. 64. To amend section 3792 of the Code.

November 24, read first, judiciary. November 28, favorably, read second. January 29, amended, read third and passed. February 2, signed.

By Mr. Skeggs—

- s. 65. To authorize the filing and recording of certain deeds and conveyances therein named in the offices of the probate courts of the State.

November 24, read first, judiciary. November 27, adverse.

- s. 66. To amend section 622 of the Code.

November 23, read first, ways and means. November 26, favorably, read second.

By Mr. Clanton—

- s. To amend section 1915 of the Code.

December 5, read first, judiciary. December 7, adverse.

By Mr. Browne—

- s. 68. To provide for payment into court of money tendered for redemption of real estate on trials of unlawful detainer suits.

November 26, read first, revision of laws. November 30, favorably, read second. December 7, read third, passed. December 10, signed.

By Mr. Milner—

- s. 69. To regulate the running of electric gas, naptha, steam

or other motors or locomotives on lines operated as street or suburban railways.

November 27, read first, commerce and common carriers. November 30, favorably, read second.

By Mr. Lang—

- s. 70. To amend section 3012 of the Code.

November 24, read first, revision of laws. November 27, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Branch—

- s. 73. To provide for the registration of all claims against the fine and forfeiture fund of Colbert county.

November 26, read first, revision of laws. November 30, favorably, read second. February 21, read third, passed. February 26, signed.

By Mr. Skeggs (by request)—

- s. 74. To amend and enlarge the provisions of section 991 of the Code.

December 5, read first, revision of laws. December 7, returned and referred to education.

By Mr. Almon (by request)—

- s. 75. To authorize the mayor and aldermen of the city of Tuscumbia, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of erecting school buildings and furnishing the same, and for draining, grading, macadamizing and improving the streets of said city, and to improvement of the spring in said city.

November 24, read first, corporations. November 30, favorably, read second. December 8, read third, passed. December 11, signed.

(By request)—

- s. 76. To constitute the city of Tuscumbia a separate school district and to provide for the management of the public schools in said school district.

November 26, read first, education. December 5, read second. February 12, read third, passed. February 23, signed.

- s. 77. To authorize the probate judge of Franklin county to transcribe certain deed and will records.

November 26, read first, judiciary. November 28, favorably, read second.

By Mr. Parker—

- s. 79. To require the sale of personal property on condition to be written and recorded.

February 12, read first, revision of laws. February 14, favorably, read second.

- s. 80. To amend section 3947 of the Code.

November 27, read first, revision of laws. November 30, favorably, read second.

- s. 81. To amend an act to incorporate Rockford High School.

December 6, read first, education. February 1, favorably, read second.

By Mr. Branch—

- s. 83. To amend section 2106 of the Code.

December 1, read first, judiciary. December 4, favorably, read second.

By Mr. Tayloe—

- s. 84. To authorize the mayor and council of the city of Demopolis to issue bonds of said city for an amount not exceeding eight thousand dollars, bearing interest at a rate not exceeding eight per cent. per annum for the purpose of purchasing school lots, erecting thereon suitable school buildings, and furnishing the same.

November 26, read first, corporations. November 30, favorably, read second. December 10, read third, passed. December 12, signed.

By Mr. Huey—

- s. 86. For the removal of the State Normal School and University for colored students from Marion, Perry county, to change its name to the State Normal School for colored students, and to provide for the control and maintenance of the same.

December 10, read first, education. February 1, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Harris—

- s. 87. To authorize members of the different farmers alliances, or other organizations of like kind of the State, to organize themselves into a body corporate.

November 27, read first, corporations. February 2, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Compton--

- s. 88. To provide for the sale of the property of non-resident minors by guardians appointed in this State.

December 1, read first, judiciary. February 7, favorably with amendment, read second. February 19, amended, read third, passed. February 23, signed.

By Mr. Haralson—

- s. 90. To amend an act entitled an act to require all trains on railroads in this State, carrying passengers, to stop at the telegraph station now existing or hereafter established nearest or most accessible, to be determined by the railroad commission, the county seat of each county through which the road or any part thereof may pass, for receiving or discharging passengers, approved February 28, 1887.

November 26, read first, commerce and common carriers. November 11, adverse.

By Mr. Tayloe—

- s. 91. To amend sections 19 and 23 of an act approved on the 28th day of March, 1873, and entitled an act to establish a new charter for the city of Demopolis.

November 30, read first, corporations. December 4, favorably, read second. December 11, read third, passed. December 12, signed.

By Mr. Browne —

- s. 92. To incorporate the Birmingham, Talladega and Eastern Railroad Company.

November 27, read first, corporations. January 31, favorably, read second.

By Mr. Williams—

- s. 94. To prohibit the sale of any spirituous, vinous, or malt liquors, or intoxicating bitters, beverages, or drinks, or fruits preserved in alcohol or alcoholic liquors in six miles of Stockton Church, in Baldwin county.

November 26, read first, temperance. November 30, favorably, read second, special committee. December 5, favorable in substitute, read second, house 163.

By Mr. Burnett—

- s. 97. For the payment of five coupons of class A bonds destroyed by fire.

January 31, read first, ways and means. February 6, adverse. February 25, taken up, read second.

By Mr. Lang—

- s. 100. To amend section 1319 of the Code, so far as the same relates to the town of Louisville, in Barbour county.

February 1, read first, judiciary. February 5, favorably, read second. February 12, read third, passed. February 14, signed.

- s. 101. To amend a charter for the town of Louisville, in Barbour county.

February 2, read first, corporations. February 9, favorably, read second. February 12, read third, passed. February 16, signed.

By Mr. Brewer—

- s. 105. To prohibit hunting and trapping game in any manner on the lands embraced in township 14, range 16, in Lowndes county.

November 27, read first, local legislation. November 30, favorably, read second.

By Mr. Skeggs—

- s. 106. To amend section 1396 of the Code.

December 3, read first, public roads and highways. December 6, favorably, read second. February 28, read third, passed, signed.

By Mr. Stallworth—

- s. 107. To allow the sheriff of Conecuh county the same



fees for public road services as are now allowed under the general laws of Alabama to other sheriffs.

November 27, read first, revision of laws. November 30, favorably, read second. January 30, read third, passed. January 31, signed.

By Mr. Hayes—

s. 108. To authorize the court of county commissioners of Lauderdale county to issue bonds of the said county to an amount not exceeding twenty thousand dollars for the purpose of enabling the said court to erect such iron bridges as said court may deem necessary.

November 30, read first, revision of laws. December 7, favorably, read second. December 11, amended, read third, passed. December 12, signed.

By Mr. Handley—

s. 109. To provide for the settlement of the indebtedment of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa to the State of Alabama.

December 8, read first, special committee. December 10, favorably, read second. January 30, special order to-morrow after reading journal. January 31, amended, read third, passed. February 5, signed.

By Mr. Hargrove—

s. 110. To ratify and confirm the incorporation and organization of Tuscaloosa and Castle Hill Real Estate and Manufacturing Company, and to declare and define the powers of said company.

December 1, read first, corporations. January 31, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Milner—

s. 111. To authorize persons liable to road duty in Shelby and Walker counties to commute the same by a payment of money.

November 30, read first, public roads and highways. December 6, favorably, read second.

By Mr. Parker—

s. 112. To incorporate the Montgomery and Sylacauga Rail Road Company.

December 5, read first, corporations. December 7, favorably, read second. February 9, read third, passed. February 11, signed.

By Mr. Rumph—

s. 113. To prohibit the sale of eatables, confections, drinks or any other merchandise or goods at any camp ground, association, or any meeting in this State on Sunday.

December 3, read first, judiciary. December 6, adverse. January 31, taken up, read second. February 20, tabled.

By Mr. Bulger—

s. 114. To amend section 4864 of the Code.

December 6, read first, penitentiary and criminal administration. December 7, favorably, read second.

By Mr. Hargrove—

s. 116. To regulate the summoning of the superintendent of the Alabama Insane Hospital as a witness in certain cases, and to authorize the taking of his testimony by deposition.

December 3, read first, judiciary. December 6, favorably, read second. December 12, read third, passed. December 12, signed.

s. 117. To prohibit garnishments against the Alabama Insane Hospital in certain cases.

January 31, read first, judiciary. February 2, favorably, read second.

s. 118. In relation to the admission of insane criminals into the Alabama Insane Hospital.

January 31, read first, judiciary. February 5, favorably, read second.

By Mr. Almon—

s. 119. To regulate the trial of misdemeanors in Colbert county.

December 7, read first, judiciary. December 10, favorably, read second. December 11, read third, passed. December 12, signed.

- s. 120. To authorize and require the commissioners court of Marion county to make an order for the relief of J. P. Ford, late tax assessor of Marion county.

November 30, read first, local legislation. December 5, favorably, read second. December 11, read third, passed. December 12, signed.

- s. 121. For the relief of J. P. Ford, late tax assessor of Marion county.

November 30, read first, ways and means. December 4, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Graham—

- s. 123. To authorize the appointment of a trustee of funds arising from the sale of lands for distribution among joint tenants or tenants in common in cases where one of the parties has only a life estate.

December 6, read first, judiciary.

By Mr. Milner—

- s. 125. To amend the charter of the People's Saving Bank, a corporation organized in the county of Jefferson, under the general laws of the State of Alabama, so as to change its name to the People's Saving Bank and Trust Company, and so as to confirm in said corporation under the name of the People's Saving Bank and Trust Company all the rights, powers and privileges that were vested in it, under the name of the People's Saving Bank, and so as to enlarge the powers, rights, franchises and privileges of said corporation.

February 23, read first, judiciary. February 26, adverse.

By Mr. Rice—

- s. 126. To establish a new charter for the city of Huntsville.  
December 3, read first, special delegation from Madison. December 4, favorably, read second. December 8, read third, passed. December 12, signed.

- s. 127. To provide for the assessment of State and county taxes on property within the corporate limits of the city of Huntsville, Alabama.

December 8, read first, local legislation. December 12, favorably, read second.

By Mr. Haralson—

- s. 128. To refund to itinerant dealers in fruit trees, vines and shrubs, who have taken out license to sell fruit trees, vines, etc., and who have acted as drummers, agents, or itinerant salesmen, for persons, partnerships or companies who reside out of the State of Alabama, the amounts paid out by them for their said licenses.

January 31, read first, ways and means. February 3, adverse.

By Mr. Grant—

- s. 129. To provide for the election of mayor and councilmen of the town of Anniston.

November 30, read first, judiciary. December 4, favorably, read second. December 6, read third, passed. December 8, signed.

By Mr. Smith—

- s. 131. To protect outstanding crops in the county of Mobile.

December 5, read first, revision of laws. December 7, favorably with amendment, read second. February 25, amended, read third, passed. February 26, signed.

By Mr. Grant—

- s. 133. To authorize private business corporations incorporated under the laws of this State to hold stockholders and directors meetings, and do corporate acts in other States of the Union.

December 6, read first, corporations. February 1, favorably, read second. February 26, read third, passed, signed.

By Mr. Almon—

- s. 134. To provide a new charter for the town of Russellville.

December 7, read first, corporations. January 31, favorably, read second. February 6, read third, passed. February 11, signed.

(By request)—

s. 135. To incorporate the town of Leighton, in Lawrence and Colbert counties.

February 8, read first, corporations. February 12, favorably, read second.

By Mr. Parks—

s. 137. To amend section 749 of the Code.

December 4, read first, revision of laws. December 7, favorably, read second. December 10, amended, read third, passed. February 5, report of conference committee concurred in. February 8, signed.

By Mr. Haralson—

s. 140. To require all persons hereafter holding and now holding claims as State's witnesses in any of the courts of DeKalb county against the fine and forfeiture fund to have them registered, to require the treasurer of DeKalb county to keep a book in which such claims can be registered, and to require the treasurer to make a record of the settlement of such claims.

December 6, read first, revision of laws. December 10, favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Burnett—

s. 141. To provide for the study of scientific temperance by the pupils in the public schools in Alabama.

January 31, read first, education. February 13, favorably, read second.

By Mr. Handly—

s. 142. To incorporate the Roanoke Normal College at Roanoke, Randolph county, Alabama.

December 5, read first, revision of laws. December 10, favorably, read second. January 29, read third, passed. February 4, signed.

By Mr. Bulger—

s. 145. To amend section 2707 of the Code.

December 5, read first, judiciary. January 30, favorably, read second.

By Mr. Almon—

- s. 146. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within four miles of Allen's Factory church, in Marion county, and within five miles of Corinth church in beat number 15, township 12, range 13, in Marion county.  
December 4, read first, temperance.

By Mr. Graham—

- s. 149. To amend section 3574 of the Code of Alabama.  
December 5, read first, judiciary. December 12, adverse. February 25, taken up, read second. February 28, read third, passed, signed.
- s. 150. To amend section 1 of an act entitled an act to incorporate the Mechanics' Hook and Ladder Company of Montgomery, approved January 26, 1858.  
December 3, read first, corporations. January 31, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Rumph—

- s. 152. To amend an act to declare Mary S. Boswell and J. S. Boswell, liners between the counties of Pike and Bullock, citizens of Bullock county, and to change the line between said counties, approved February 22, 1887.  
December 7, read first, counties and county boundaries. February 1, favorably, read second. February 4, read third, passed. February 6, signed.

By Mr. Compton—

- h. 153. To provide for and protect trade-marks.  
January 31, read first, judiciary. February 2, favorably, read second.

By Mr. Waddell—

- s. 155. To amend an act entitled an act to prohibit the sale, giving away, or disposing of any vinous, spirituous, or malt liquors, or intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the counties of Montgomery, and others therein named, approved



February 28, 1887, at 11 o'clock and 20 minutes, and known as the omnibus bill.

December 7, read first, temperance. February 2, favorably, read second.

By Mr. Cowan—

s. 156. For the relief of State witnesses in Clarke county, where the State fails.

December 7, read first, penitentiary and criminal administration. December 10, favorably, read second.

By Mr. Godfrey—

s. 157. To amend section 17 of an entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 17, 1885.

December 7, read first, judiciary. December 9, adverse.

By Mr. Skeggs—

s. 158. To amend section 3217 of the Code.

December 7, read first, fees and salaries. February 5, favorably, read second.

By Mr. Parker—

s. 159. For the relief of H. R. Robbins, late sheriff of Coosa county.

December 7, read first, penitentiary and criminal administration. December 10, favorably, read second. February 18, read third, passed. February 21, signed.

By Mr. Graham—

s. 160. To regulate the lighting of bridges over navigable rivers in this State.

December 7, read first, commerce and common carriers. February 1, favorably, read second.

By Mr. Skeggs—

s. 161. To amend section one of an act to establish a new charter for the town of Cullman, approved February 7, 1879.

February 8, read first, corporations. February 12, favorably, read second. February 28, read third, passed, signed.

By Mr. Lang—

s. 162. To protect human life.

January 31, read first, revision of laws. February 2, favorably, with amendment, read second. February 26, amended, read third, passed. February 28, signed.

s. 163. To amend section 3625 of the Code.

January 31, read first, revision of laws. February 2, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Parks—

s. 164. To amend section 4031 of the Code.

February 16, read first, revision of laws. February 20, favorably, read second.

By Mr. Waddell—

s. 165. To prevent the transportation of cotton in the seed through, or from that portion of what is known as Marshall's Reserve, lying in Russell county, Alabama, to or across the Chattahoochie river, or to offer the same therein for sale, barter or exchange, except as now provided by law.

December 12, read first, local legislation.

By Mr. Milner—

s. 166. To amend section 4045 of the Code.

February 12, read first, revision of laws. February 14, favorably, read second.

By Mr. Williams—

s. 170. For the better protection of the planters in the counties of Marengo, Monroe, Clarke, Ohoctaw, Pickens, Greene and Talladega, so as to include Baldwin county in the provisions of this bill.

December 12, read first, counties and county boundaries. February 1, favorably, read second.

By Mr. Bulger—

s. 171. To re-enact and continue in force, so far as the same applies to Tallapoosa, Pickens and Randolph counties, an act to provide for the assessment and collection of taxes in the counties of Lee, Randolph, Tallapoosa, Pickens and Chambers, approved December 28, 1887.

February 8, read first, revision of laws. February 13, favorably, read second. February 16, read third, passed. February 19, reconsidered, amended and passed. February 20, signed.

By Mr. Graham—

- s. 172. To authorize the governor, in the name of the State, to subscribe and pay for one hundred copies of the 36th volume of the Alabama Reports, for the use of the public officers of the State.

January 31, read first, ways and means. February 6, adverse.

By Mr. Lang—

- s. 173. To repeal an act entitled an act to prohibit the sale, giving away or disposing of any spirituous, vinous or malt liquors, intoxicating bitters, beverages or drinks, or fruits preserved in alcohol or alcoholic liquors, in the county of Montgomery, outside of the corporate limits and police jurisdiction of the city of Montgomery, and other places therein named, and known as the Omnibus bill, approved February 28, 1887, so far as the same relates to within three miles of Palmyra Presbyterian church, Barbour county.

February 2, read first, temperance. February 28, adverse.

By Mr. Parker—

- s. 174. To declare Thomas W. Shrader, a liner between the counties of Chilton and Shelby, a citizen of the county of Chilton, and to change the line between said counties.

December 10, read first, revision of laws. February 1, favorably, read second. February 28, read third, tabled.

- s. 175. To authorize the court of revenue of Chilton county to issue bonds of said county to an amount not exceeding twenty-five thousand dollars, for the purpose of building a court house for said county.

December 12, read first, ways and means. February 19, favorably, read second.

By Mr. Tayloe—

s. 176. To declare a lien on stock in Marengo and Sumter counties in favor of persons feeding or pasturing the same, and to provide for its enforcement.

December 10, read first, judiciary.

s. 177. To enable planters, farmers and crop growers to convey by mortgage unplanted crops.

December 8, read first, judiciary. February 1, adverse. February 9, taken up, read second. February 11, continuing special order February 15, after journal. February 15, amended, read third, passed. February 18, conference report concurred in. February 20, signed.

By Mr. Browne—

s. 178. To authorize and empower Louisa W. Henderson, administratrix of the estate of John Henderson, deceased, to purchase lands for estate under sale or sales of same when made under mortgage or mortgages, or deed or deeds of trust executed to intestate in his life time, and to sell the land or any part thereof so purchased, either at private or public sale, and to make good and sufficient deeds of conveyance to same.

January 31, read first, revision of laws. February 6, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Huey—

s. 179. To amend section 157 of the Code.

January 31, read first, military. February 7, favorably, read second. February 15, read third, passed. February 18, signed.

s. 180. To amend section 159 of the Code.

January 31, read first, military. February 7, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Graham—

s. 181. To make it lawful to sell, give away, or otherwise dispose of spirituous, vinous and malt liquors, on the property fronting on the north side of Monroe street, in the city of Montgomery, except in the store fronting forty-five feet on said street, at the corner of Court street.

February 1, read first, judiciary. February 5, favorably, read second. February 20, read third, passed. February 23, signed.

By Mr. Skeggs—

s. 183. To amend section 4 of an act entitled and act to incorporate the town of Hartsell, in the county of Morgan, approved February 1st, 1879.

December 12, read first, corporations. February 1, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Parker—

s. 184. To repeal an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1st, 1881, so far as said act relates to beat No. 1, of Chilton county.

December 10, read first, revision of laws. February 1, favorably, read second. February 11, read third, lost.

By Mr. Rumph—

s. 185. To change the mode of compensating the probate judge of Bullock county.

December 10, read first, local legislation.

By Mr. Browne—

s. 186. To revoke and nullify the charter of the town of Collegeton, in Talladega county, Alabama.

December 10, read first, education. February 1, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Graham—

s. 187. To amend section 2908 of the Code of Alabama. January 31, read first, revision of laws.

s. 188. To amend section 5 of an act entitled an act to incorporate the Lomax Fire Engine Company No. 4, of the city of Montgomery, approved January 30, 1871.

December 10, read first, corporations. February 1, favorably, read second. February 28, read third, passed, signed.

By Mr. Bulger—

s. 189. To amend section 4078 of the Code.

February 16, read first, public health. February 18, favorably, read second. February 21, read third, lost.

By Mr. Smith—

s. 190. To incorporate the Alabama Fuel, Light and Power Manufacturing and Supply Company.

December 10, read first, corporations. February 14, favorably, read second. February 23, amended, read third, passed. February 25, signed.—

By Mr. Parker—

s. 191. To regulate and fix the time of opening courts in the third and fifth judicial circuits in the State of Alabama.

January 30, read first, judiciary. February 1, favorably, read second. February 25, read third, passed, signed.

By Mr. Skeggs—

s. 192. To establish the city court of Decatur.

February 2, read first, judiciary. February 5, favorably, read second. February 6, read third, passed. February 8, signed.

By Mr. Milner—

s. 194. To incorporate the Southern Guaranty Company.

February 6, read first, judiciary. February 9, favorably, read second. February 13, read third, passed. February 15, signed.

By Mr. Cowan—

s. 195. To amend an act to protect the owners of stock in Clarke county.

December 12, read first, local legislation. January 31, favorably, read second. February 28, read third, passed, signed.

By Mr. Parks—

s. 196. To amend section 3070 of the Code.

February 8, read first, revision of laws. February 13, favorably, read second.



By Mr. Harris—

s. 197. To amend sections 1, 2, and 4, of an act entitled an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, approved February 1, 1879.

January 31, read first, judiciary. February 7, favorably, read second.

By Mr. Compton—

s. 198. To remove the guardianship of Corinne E. Rives, Frank A. Rives, Lula A. Rives, Virginia A. Rives, Elvira Rives and Walter Rives, from the county of Lowndes to the county of Dallas.

December 10, read first, judiciary. February 2, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Smith—

s. 199. To repeal an act to raise a fund for the benefit of the fire companies in the city of Mobile.

December 12, read first, corporations. February 1, favorably, read second. February 11, re-committed to corporations. February 15, read third, passed. February 18, signed.

By Mr. Browne—

s. 200. For the relief of S. F. Cruikshank, of Talladega county.

February 16, read first, ways and means. February 19, adverse.

By Mr. Hargrove—

s. 201. To reduce the capital stock of the Oakwood Real Estate Company.

February 9, read first, corporations. February 12, favorably, read second.

By Mr. Smith—

s. 204. To amend the charter of the Mobile Street Railway Company, and to ratify the organization, and to confirm the franchises granted to, and the obliga-

amended, read third and lost. February 14, reconsidered and passed. February 28, enrolled, signed and approved.

By Mr. NeSmith—

H. 782. To amend an act entitled an act to incorporate the town of Town Creek in Lawrence county, Alabama, approved March 8, 1875.

February 1, read first, corporations. February 12, favorably, read second. February 13, read third, passed. February 25, enrolled and signed. February 26, approved.

By Mr. Meador (by request)—

H. 783. For the relief of Thomas H. Skinner, S. G. Woolf, C. F. Compton and F. M. Witherspoon.

February 1, read first, appropriations. February 9, favorably, read second. February 18, read third, passed. February 25, concurred in senate amendment. February 26, enrolled and signed. February 28, approved.

By Mr. Smith—

H. 784. To change the name of Minnie Lee Jenkins of Russell county to that of Minnie Lee Turner.

February 1, read first, judiciary. February 7, favorably, read second. February 16, read third, passed. February 26, enrolled and signed. February 28, approved.

By Mr. Porter—

H. 785. To amend and enlarge the charter of the Ensley Railway, and to confer additional powers on said corporation.

February 1, read first, corporations. February 7, favorably, read second. February 25, read third, passed. February 28, enrolled, signed and approved.

H. 786. To amend and enlarge the charter of the East Lake Land Company, and to confer additional powers on said company.

February 1, read first, corporations. February 13, favorably, with amendment, read second. February 16, amended, read third and passed. February 28, enrolled, signed and approved.

By Mr. Huey—

- H. 215. To prohibit the sale of spirituous, vinous or malt liquors in township 17, range 6, east, in Perry county, except within the corporate limits of Uniontown, Perry county, Alabama.

February 1, read first, revision of laws. February 6, favorably, read second. February 20, substitute adopted, amended, read third, passed. February 26, adopted conference report. February 28, signed.

By Mr. Compton—

- H. 216. To amend the charter of the Central City Building and Loan Association of Selma, Alabama.

February 1, read first, corporations. February 7, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Grant—

- s. 217. For the relief of C. D. Martin and others.

February 12, read first, judiciary. February 14, returned and referred to ways and means. February 19, adverse, recommitted to ways and means. February 28, adverse.

By Mr. Hayes—

- s. 218. For the relief of H. McVey Moore, late sheriff of Lauderdale county.

February 6, read first, revision of laws. February 9, favorably, read second.

By Mr. Browne—

- s. 219. To amend section 1 of an act entitled an act to establish partial stock law districts in Talladega county, so as to include precincts 5 and 1 in said county.

February 6, read first, local legislation. February 9, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Smith—

- s. 220. To provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile.

February 1, read first, judiciary. February 5, favorably, read second. February 20, read third, passed. February 23, signed.

By Mr. Skeggs—

s. 183. To amend section 4 of an act entitled and act to incorporate the town of Hartsell, in the county of Morgan, approved February 1st, 1879.

December 12, read first, corporations. February 1, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Parker—

s. 184. To repeal an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, approved March 1st, 1881, so far as said act relates to beat No. 1, of Chilton county.

December 10, read first, revision of laws. February 1, favorably, read second. February 11, read third, lost.

By Mr. Rumph—

s. 185. To change the mode of compensating the probate judge of Bullock county.

December 10, read first, local legislation.

By Mr. Browne—

s. 186. To revoke and nullify the charter of the town of Collegeton, in Talladega county, Alabama.

December 10, read first, education. February 1, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Graham—

s. 187. To amend section 2908 of the Code of Alabama. January 31, read first, revision of laws.

s. 188. To amend section 5 of an act entitled an act to incorporate the Lomax Fire Engine Company No. 4, of the city of Montgomery, approved January 30, 1871.

December 10, read first, corporations. February 1, favorably, read second. February 28, read third, passed, signed.

By Mr. Lang—

s. 233. To regulate the trials of misdemeanors in Barbour county.

February 5, read first, judiciary. February 7, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Harris—

s. 236. To amend sections 2 and 6 of an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 19, 1883, approved February 16, 1885.

February 23, read first, counties and county boundaries. February 25, favorably, read second. February 26, amended, read third, passed. February 28, signed.

By Mr. Stallworth—

s. 238. To relieve John Sanders, a minor in the county of Monroe, of all the disabilities of a minor.

February 6, read first, judiciary. February 9, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Skeggs—

s. 241. To amend section 1, 8, 9, 12, 13, and 14 of an act to create a board of education for the town of Decatur, and to prescribe the duties and the powers of the same.

February 5, read first, education. February 10, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Rice—

s. 243. To prohibit the manufacture, sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, at or within five miles of Goose Pond church, in Jackson county, Alabama.

February 8, read first, temperance. February 12, favorably, read second. February 20, incorporated in senate 215.

By Mr. Handley—

- s. 244. To amend the charter of the Birmingham Trust and Savings company, incorporated under the general laws of Alabama.

February 5, read first, corporations. February 12, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Bulger—

- s. 245. To authorize and empower the court of county commissioners of Tallapoosa county to borrow money to complete the settlement of the bonded indebtedness of said county.

February 5, read first, judiciary. February 7, favorably, read second. February 11, read third, passed. February 14, signed.

By Mr. Grant—

- s. 246. To incorporate the Jacksonville, Williamsport and Anniston Railway company.

February 8, read first, corporations. February 12, favorably, read second. February 18, read third, passed. February 23, signed.

By Mr. Browne—

- s. 247. To fix the time of holding the circuit courts in the several counties composing the seventh judicial circuit.

February 13, read first, judiciary. February 16, favorably, read second. February 18, amended, read third, passed. February 23, signed.

By Mr. Grant—

- s. 249. To authorize the judge of the circuit court to fix by an order entered on the minutes of the court, the time when the criminal docket shall be taken up at the next succeeding term in the several counties now composing the seventh judicial circuit.

February 12, read first, judiciary. February 14, favorably, read second.

By Mr. Hargrove—

- s. 252. In relation to criminal insane persons who are charged by indictments with murder and other high crimes.



February 8, read first, judiciary. February 11, favorably, read second. February 20, read third, passed. February 25, signed.

By Mr. Milner—

s. 253. To amend and ratify the charter of the Birmingham Safe and Lock company, incorporated in Jefferson county, Alabama, under the general statutes of said State, and to extend and enlarge the powers of said company.

February 5, read first, corporations. February 14, favorably, read second. February 21, read third, passed. February 21, signed.

By Mr. Huey—

s. 254. To repeal section 4140 of the Code of Alabama.

February 6, read first, revision of laws. February 8, adverse. February 16, favorably, read second.

s. 255. To relieve Thos. N. Baskin of the disabilities of non-age.

February 8, read first, judiciary. February 14, adverse.

By Mr. Graham—

s. 256. To regulate the survey and division of lands into lots and platting the same.

February 9, read first, judiciary. February 12, favorably, read second. February 15, read third, passed. February 23, signed.

s. 257. To provide for the answering by corporations of interrogatories propounded under the provisions of section 2816 of the Code.

February 6, read first, judiciary. February 9, favorably, read second. February 25, read third, passed. February 26, signed.

s. 258. To amend section 2105 of the Code.

February 11, read first, judiciary. February 14, favorable, read second.

s. 259. To incorporate the Fidelity Mortgage and Trust company of Alabama.

February 6, read first, judiciary. February 9, read second. February 15, read third, passed. February 18, signed.

By Mr. Smith—

- s. 260. To amend sections one and three of an act entitled an act to establish a river commission for Mobile river and branches, and to define its powers, approved February 28, 1887.

February 5, read first, revision of laws. February 7, favorably, read second.

By Mr. Park—

- s. 264. For the relief of Geo. T. Taylor of Crenshaw county, Alabama.

February 6, read first, local legislation. February 9, favorably, read second. February 18, read third, lost.

By Mr. Clanton—

- s. 266. To authorize the widow of James M. Bullock, deceased, to administer his estate in Mobile county upon a limited bond, and to confer jurisdiction upon the Mobile probate court for that purpose.

February 6, read first, revision of laws. February 9, favorably, read second. February 11, read third, passed. February 14, signed.

By Mr. Godfrey—

- s. 267. To amend section 3 of an act entitled an act to amend section 2 and section 16 of an act to incorporate the town of Livingston in Sumter county, approved January 25, 1867, and to amend section one of an act to define the corporate limits of the town of Livingston, in Sumter county, Alabama, approved February 24, 1872; approved January 16, 1877.

February 5, read first, local legislation. February 7, favorably, read second. February 16, read third, passed. February 18, signed.

By Mr. Almon (by request)—

- s. 268. For the relief of Arthur Vinson of Franklin county.

February 5, read first, judiciary. February 11, favorably, read second. February 23, read third, passed. February 26, signed.

By Mr. Tayloe—

s. 269. To incorporate an educational institute in the city of Demopolis, Alabama, under the name and style of the Marengo Military Academy.

February 5, read first, revision of laws. February 7, favorably, read second. February 9, read third, passed. February 23, signed.

By Mr. Steagall—

s. 270. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruit preserved in alcoholic liquors, within two miles of Union Presbyterian church, Dale county, Alabama, and Pleasant Ridge Baptist church, in Dale county, Alabama.

February 6, read first, temperance. February 20, incorporated in s. 215.

By Mr. Huey—

s. 271. To amend section 981 of the Code.

February 16, read first, education. February 19, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Almon—

s. 272. For the relief of W. R. H. Loden, late sheriff of Marion county.

February 5, read first, judiciary. February 11, favorably, read second. February 25, read third, passed. February 26, signed.

s. 273. To fix the times and places of holding the circuit courts in the counties of Franklin and Marion, in the eighth judicial circuit of the State of Alabama.

February 4, read first, judiciary. February 7, favorably, read second. February 19, read third and passed. February 25, signed.

By Mr. Milner—

s. 274. To incorporate the Southern Loan and Guaranty Company.

February 16, read first, corporations. February 20, favorably, read second.

By Mr. Brewer—

- s. 275. To secure better roads and bridges in the county of Lowndes.

February 6, read first, local legislation. February 9, favorably, read second. February 11, recommitted to local legislation. February 25, adverse.

By Mr. Huey—

- s. 277. To amend sections 1, 3, 5 and 9 of an act to amend an act to organize and regulate a system of public school instruction for the State of Alabama, approved February 7, 1879, and the amendments thereto, approved February 28, 1887.

February 13, read first, education. February 16, favorably, read second. February 25, tabled, taken from table and passed. February 28, signed.

By Mr. Huey—

- s. 279. To amend section 971 of the Code.

February 12, read first, revision of laws. February 14, adverse.

- s. 280 To amend section 984 of the Code.

February 13, read first, education. February 16, favorably, read second.

By Mr. Tayloe—

- s. 281. To repeal an act to divide Marengo county into four commissioners districts, approved January 23, 1867.

February 5, read first, local legislation. February 7, favorably, read second.

- s. 282. To amend an act to regulate the disbursement of the proceeds derived from the hire of convicts in Marengo county, approved December 9, 1886.

February 5, read first, penitentiary and criminal administration. February 7, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Lang—

- s. 285. To provide for the payment of official services of the sheriff of Barbour county for services rendered not otherwise provided for.

February 8, read first, ways and means. February 12, favorably, read second. February 18, read third, passed. February 21, signed.

By Mr. Bulger—

s. 287. To provide for the holding of a term of the circuit court of the fifth judicial circuit at Alexander City, in Tallapoosa county, and to regulate the same.

February 4, read first, judiciary. February 7, favorably, read second. February 11, read third, passed. February 14, signed.

By Mr. Milner—

s. 288. To incorporate the Warrior, Attalla and Jasper Railroad Company.

February 6, read first, corporations. February 9, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Graham—

s. 289. To amend section 2972 of the Code.

February 12, read first, revision of laws. February 14, favorably, read second. February 26, read third, passed. February 28, signed.

s. 291. To create a lien in favor of laborers, clerks, salesmen, and other employees, for their wages or salaries.

February 12, read first, judiciary. February 14, adverse.

(By request)—

s. 292. To define and regulate the duties of the Recorder of the city of Montgomery in criminal cases.

February 6, read first, judiciary. February 9, adverse.

By Mr. Almon—

s. 294. To amend section 3675 of the Code.

February 12, read first, judiciary. February 14, favorably, read second.

s. 295. To authorize and require the register in chancery of Franklin county to make and keep in his office general direct and indirect index books of the minutes, dockets, register, order books, execution

dockets and final records of said court of chancery, and to complete the indexes of said books.

February 5, read first, revision of laws. February 7, adverse.

By Mr. Burnett—

- s. 296. To incorporate the Alabama Synod of the Cumberland Presbyterian church.

February 6, read first, corporations. February 9, favorably, read second. February 28, read third, passed, signed.

By Mr. Skeggs—

- s. 297. To authorize the corporate authorities of the town of New Decatur in the county of Morgan to negotiate a loan for the improvement of the streets, of the sanitary condition of the said town, and to issue bonds for the payment of said loan.

February 6, read first, judiciary. February 8, favorably, read second. February 11, read third, passed. February 12, signed.

- s. 298. To confirm the incorporation of the town of New Decatur in the county of Morgan, and to enlarge and define the corporate powers of said town.

February 6, read first, judiciary. February 9, favorably, read second. February 11, read third, passed. February 12, signed.

By Mr. Browne—

- s. 299. To amend sections 3546 and 3547 of the Code of Alabama.

February 5, read first, judiciary. February 7, adverse. February 26, taken up, read second. February 28, read third, passed and signed.

- s. 300. To provide for the compensation of expert accountants employed by the joint committee of the general assembly to examine the offices of auditor and treasurer.

February 9, read first, ways and means. February 12, favorably, read second. February 13, read third, passed. February 14, signed.

By Mr. Milner—

- s. 301. To amend the charter of the Age-Herald Company, to ratify and confirm all its acts and doings



under said charter, to ratify and confirm the issue by it of preferred stock, and to confer upon it additional powers.

February 6, read first, judiciary. February 9, favorably, read second. February 15, read third, passed. February 16, signed.

By Mr. Huey—

s. 302. To determine and fix the amount of poll tax available each year for school purposes.

February 14, read first, education. February 19, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Tayloe—

s. 303. For the relief of James B. Kornegay of Marengo county.

February 6, read first, judiciary. February 12, favorably, read second. February 25, read third, passed. February 26, signed.

s. 304. To amend section one of an act, approved 12th day of February, 1887, and entitled an act to prevent stock from running at large in certain parts of Marengo county.

February 9, read first, local legislation. February 11, favorably, read second. February 25, read third, passed. February 26, signed.

s. 305. To permit small balances due employees for wages or services to be disposed of for the benefit of their widows and orphans without administration.

February 12, read first, judiciary. February 14, favorably, read second. February 28, passed and signed.

s. 306. To provide for the payment of certain costs incurred in the courts of justices and notaries in Marengo county.

February 14, read first, judiciary. February 16, read second.

By Mr. Graham—

s. 307. To provide for the study of State history in the public schools.

February 14, read first, education. February 16, favorably, read second. February 26, tabled.

- s. 308. To authorize the Macon and Birmingham Railroad Company, a corporation under the laws of Georgia, to construct, maintain and operate its railroad within the State of Alabama, and do all other things needful for that purpose.

February 6, read first, corporations. February 9, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Smith—

- s. 311. To provide for destroying abandoned, diseased or infirm animals.

February 13, read first, revision of laws. February 16, favorably, read second.

- s. 312. To prevent the abandonment of maimed, diseased or disabled, or infirm animals.

February 13, read first, revision of laws. February 16, adverse.

- s. 313. To regulate the disposition of fines arising from prosecutions under the laws of this State for cruelty to animals.

February 14, read first, judiciary. February 16, adverse.

- s. 314. To provide for the humane killing of animals so maimed or crippled by railroad locomotives as to be unable to obtain food or drink for themselves.

February 14, read first, commerce and common carriers. February 16, favorably, read second.

By Mr. Bulger—

- s. 315. To create a lien in favor of hotel, boarding house and inn keepers in this State.

February 14, read first, revision of laws. February 18, adverse.

By Mr. Parker—

- s. 316. To relieve G. B. Adair of Tallapoosa county of the disabilities of non-age.

February 23, read first, revision of laws. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Almon—

s. 317. For the relief of Mr. S. C. Black of Fayette county.

February 6, read first, corporations. February 9, adverse. February 11, read second. February 25, read third, passed. February 26, signed.

s. 318. For relief of Wm. W. Jones.

February 6, read first, judiciary. February 7, favorably, read second. February 11, read third, passed and signed.

By Mr. Hargrove—

s. 322. To prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials, or fruits preserved in alcoholic liquors, within four miles of the Davis Creek church, Favors beat, Tallapoosa county.

February 8, read first, temperance. February 12, favorably, read second. February 20, incorporated in senate 215.

s. 323. To amend sections 1251 and 1252 of the Code.

February 13, read first, judiciary.  
February 18, favorably, read second.

By Mr. Parker—

s. 325. To provide for the listing of lands by tax assessors.

February 16, read first, ways and means. February 19, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Huey—

s. 326. To require the probate judge of Perry county to prepare and keep in his office a general direct and redirect index of the minutes and inventories and other records relating to estates of deceased persons and guardianship proceedings, and to provide just compensation therefor.

February 8, read first, judiciary. February 11, favorably, read second. February 22, read third, passed. February 26, signed.

By Mr. Parks—

- s. 327. To authorize and require the register in chancery of the chancery district composed of the county of Crenshaw, to act as probate judge in said county in reference to an executorship, administration or guardianship, when the probate judge is incompetent under the provisions of section 647 of the Code.

February 18, read first, judiciary. February 20, favorably, read second. February 28, read third, passed and signed.

By Mr. Waddell—

- s. 328. To regulate the liability for and payment of costs accruing in the several courts of this State when parties are indicted or proceeded against jointly.

February 14, read first, judiciary. February 16, adverse, taken up, read second.

By Mr. Compton—

- s. 329. To amend section 2772 of the Code.

February 13, read first, judiciary. February 16, favorably, read second. February 20, read third, passed. February 23, signed.

By Mr. Stegall—

- s. 330. For the protection of policy holders in life insurance companies doing business in this State.

February 12, read first, judiciary. February 14, adverse.

By Mr. Brewer—

- s. 333. To change the mode of paying the judge of probate of Lowndes county.

February 6, read first, local legislation. February 9, favorably, read second. February 14, read third, passed. February 18, signed.

- s. 334. To dispose of the fees, commissions and allowances or salary allowed by law to the judge of probate in the county of Lowndes.

February 6, read first, local legislation. February 9, favorably, read second. February 14, read third, passed. February 18, signed.

By Mr. Grant—

s. 335. To provide for an exhibit of school work at the State National Educational Association to be held during the summer of 1889.

February 14, read first, appropriations. February 18, adverse.

By Mr. Stallworth—

s. 336. To amend section 677 of the Code of Alabama.

February 9, read first, judiciary. February 14, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Rice—

s. 337. To authorize Madison county to purchase and build macademized roads.

February 8, read first. February 9, favorably, read second. February 15, read third, passed. February 20, signed.

s. 338. To provide for an additional judge of the supreme court of Alabama.

February 9, read first, judiciary. February 11, favorably, read second, continuing special order February 12, after journal. February 12, read third, passed and signed.

By Mr. Burnett—

s. 339. To fix the time and place of holding the chancery courts of Cleburne and Cherokee counties.

February 16, read first, judiciary. February 18, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Tayloe—

s. 343. To authorize the commissioners court of Marengo county to hire out its convicts and elects to work on railroads in said county.

February 9, read first, penitentiary and criminal administration. February 11, favorably, read second.

By Mr. Milner—

s. 347. To amend the charter of the city of Birmingham, so as to enlarge the limits of said city, and so as to create a new ward in said city.

February 8, read first, corporations. February 13, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Almon—

s. 348. To confirm the incorporation and organization of the Sheffield Land, Iron & Coal Company of Alabama, and to amend the same.

February 8, read first, corporations. February 12, favorably, read second. February 18, read third, passed. February 23, signed.

By Mr. Huey—

s. 349. Requesting the senators and representatives in Congress from Alabama to use their earnest endeavors to secure a donation of lands or money to aid in establishing a State female industrial school and university in Alabama for white girls.\*

February 6, read first, tabled, taken from table and referred to education. February 9, favorably, read second. February 11, read third and passed. February 12, signed.

By Mr. Graham—

s. 350. To incorporate the Alabama Land and Immigration Company.

February 12, read first, corporations. February 14, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Milner—

s. 353. To amend section 1588 of the Code.

February 16, read first, corporations. February 20, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Harris—

s. 355. To prevent stock running at large in a part of beat 7, in Lee county, Alabama.

February 11, read first, local legislation. February 12, favorably, read second. February 14, read third, passed. February 18, signed.

By Mr. Rice—

s. 357. To amend the quarantine laws of the State.



February 23, read first, public health. February 25, returned and referred to revision of laws, favorably, read second. February 28, tabled, taken from table, read third, passed, signed.

By Mr. Bulger—

s. 359. To amend section 4655 of the Code.

February 21, read first, judiciary. February 23, favorably, read second. February 26, tabled.

s. 361. To amend section 4504 of the Code.

February 21, read first, judiciary. February 23, favorably, read second. February 26, lost.

s. 362. To amend section 4564 of the Code.

February 21, read first, judiciary. February 23, favorably, read second. February 26, read third, passed. February 28, conference committee appointed and report that they cannot agree.

s. 363. To amend section 4648 of the Code.

February 21, read first, judiciary. February 23, favorably, read second. February 26, read third, passed. February 28, reconsidered and lost.

By Mr. Stallworth—

s. 366. For the better prevention of mobs, riots and tumults.

February 16, read first, military. February 20, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Burnett—

s. 367. To amend section 2551 of the Code.

February 23, read first, judiciary. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Huey—

s. 368. To allow the hunting and killing of deer in certain portions of Perry county.

February 9, read first, judiciary. February 14, favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Skeggs—

- s. 369. To authorize the mayor and council of the town of Decatur to negotiate a loan for the purpose of constructing sewers and making other permanent public improvements in said town, and to issue bonds for payment of said loan.

February 12, read first, corporations. February 14, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Hayes (by request)—

- s. 371. To incorporate the Sheffield and Seaboard Railroad Company, and to further the construction of said railroad.

February 15, read first, local legislation. February 18, favorably, read second. February 19, read third, passed. February 26, signed.

By Mr. Parker—

- s. 372. To amend section 18 of an act approved February 23, 1887, entitled an act to incorporate the Wetumpka and Coosa River Canal and Manufacturing Company.

February 14, read first, corporations. February 16, favorably, read second.

By Mr. Milner—

- s. 373. To change the name of the East Birmingham Land company, a corporation organized under the general laws of the State of Alabama, and having its principal place of business in the city of Birmingham, to the East Birmingham Land and Railroad Company, and to further enlarge the powers, rights, franchises and privileges of said corporation.

February 11, read first, corporations. February 14, favorably, read second. February 16, read third, passed. February 19, reconsidered, read third, passed. February 20, signed.

- s. 374. To amend section 1594, of the Code of Alabama. February 16, read first, corporations. February 20, favorably, read second. February 25, read third, passed. February 26, signed.

- s. 375. To amend section 17 of an act to incorporate the city of Calera, in the county of Shelby.

February 15, read first, corporations. February 18, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Huey—

s. 379. To repeal an act entitled an act to repeal an act entitled an act to require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditure of money for and account of their respective counties, approved August 12, 1868, and to repeal section 117 and 118 of an act entitled an act to establish revenue laws for the State of Alabama, approved December 31, 1868, so far as same relates to the county of Perry.

February 11, read first, revision of laws. February 13, favorably, read second.

By Mr. Tayloe—

s. 380. To reduce the rate of taxation.

February 11, read first, ways and means.

By Mr. Steagall—

s. 383. To regulate the sale of certain poisons in this State.

February 21, read first, public health. February 25, adverse.

By Mr. Compton—

s. 384. To amend section 1759 of the Code.

February 18, read first, judiciary. February 19, favorably, read second. February 20, read third, passed. February 23, signed.

By Mr. Godfrey—

s. 385. To amend section 149 of the Code.

February 16, read first, agriculture. February 18, favorably, read second. February 20, read third, passed. February 25, enrolled and signed.

s. 386. To allow the commissioner of agriculture additional clerical force in his office.

February 21, read first, agriculture. February 23, favorably, read second. February 25, read third, passed, reconsidered and lost.

By Mr. Bulger—

- s. 388. To ratify and confirm the incorporation and organization of the North Alabama Furnace, Foundry and Land Company, and to amend and enlarge its corporate powers.

February 12, read first, corporations. February 14, favorably, read second.

(By request)

- s. 389. To incorporate the Florence Educational, Land and Development Company.

February 21, read first, corporations. February 14, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Parks—

- s. 390. To amend section 2380 of the Code of Alabama, so as to allow judgments in the same court to be set off on motion.

February 21, read first, judiciary. February 23, favorably, read second.

By Mr. Almon—

- s. 391. To amend an act entitled an act to incorporate the City of Sheffield, in the county of Colbert, approved February 17, 1885, and to confer additional powers and duties on the city council of the said city of Sheffield.

February 18, read first, corporations. February 20, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Huey—

- s. 392. To fix the time and place for holding the spring term of the circuit court of Perry county.

February 9, read first, judiciary. February 14, favorably, read second.

By Mr. Grant—

- s. 393. To provide that the county commissioners of Calhoun county shall be entitled to the same mileage when they attend special terms of the court or meet as jury commissioners, as they are now paid when they meet in regular term.

February 14, read first, local legislation. February 16, favorably, read second. February 28, read third, passed, and signed.

s. 394. To regulate the fine and forfeiture fund of Calhoun county.

February 14, read first, local legislation. February 16, favorably, read second. February 25, read third, passed and signed.

By Mr. Handley—

s. 395. To enlarge the powers, rights and privileges of the Mary Pratt Furnance Company, an industrial mining and manufacturing corporation, organized and chartered in Jefferson county, under the general laws of Alabama.

February 9, read first, corporations. February 11, favorably, read second. February 19, read third, passed. February 21, signed.

By Mr. Almon—

s. 397. To incorporate the National Guaranty and Trust Company.

February 14, read first, corporations. February 16, reported adverse.

s. 398. To appropriate the two and three per cent. fund.

February 20, read first, special committee. February 21, favorably, read second. February 23, read third, passed. February 25, signed.

By Mr. Parker—

s. 400. To amend section one of an act entitled an act to prohibit the sale, giving away, delivery, transfer, parting with, procuring or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters, or mixtures, within five miles of Goodwater Academy, Coosa county, and in Butler county, except in beat 12 of said county.

February 9, read first, temperance. February 11, recalled and recommitted to revision of laws. February 12, favorably, read second. February 13, read third, passed. February 16, signed.

By Mr. Huey—

s. 401. To fix the pay of the superintendent of education for the county of Perry.

February 12, read first, judiciary. February 16, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Tayloe—

s. 402. To amend section 487 of the Code.

February 21, read first, revision of laws. February 25, favorably, read second.

By Mr. Williams—

s. 404. To incorporate the Mobile and Eastern Shore Railway and Navigation Company.

February 16, read first, corporations. February 20, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Compton—

s. 405. To amend section 2044 of the Code.

February 21, read first, judiciary. February 25, favorably, read second.

By Mr. Almon—

s. 408. To amend the caption and section one of an act approved February 7, 1852, entitled an act to incorporate the Baptist Female Institute at Moulton.

February 11, read first, education. February 16, favorably, read second. February 19, read third, passed. February 21, signed.

By Mr. Williams—

s. 411. To make the clerk of the circuit court of Escambia county *ex-officio* clerk of the county court of said county.

February 14, read first, judiciary. February 16, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Compton—

s. 413. To protect the property and franchises of cities and towns from being improperly acquired by corporations, firms and individuals.

February 23, read first, judiciary. February 24, adverse report.

By Mr. Almon—

s. 414. To authorize the sale of an alley in the town of Bel Green.

February 14, read first, judiciary. February



16, adverse, recommitted to judiciary. February  
18, adverse report.

By Mr. Skeggs—

s. 415. To incorporate the Alabama Investment and Security Company.

February 16, read first, corporations. February 20, favorably, read second. February 28, read third, passed, signed.

s. 416. To repeal and amend section 11 of an act entitled an act to establish a separate school district, to be known as the Cullman School District, in Cullman county, Alabama, and for the appointment of a board of trustees for said school district with certain powers and privileges, approved February 28, 1887.

February 14, read first, education. February 19, favorably, read second.

By Mr. Almon—

s. 417. To constitute the city of Sheffield a separate school district.

February 14, read first, education. February 19, favorably, read second. February 28, read third, passed, signed.

By Mr. Milner—

s. 418. To authorize and empower the commissioners' court of Shelby county to appropriate three thousand dollars per year for the years of 1889 and 1890 out of the general funds in the county treasury, to aid the free public schools of said county.

February 14, read first, education. February 19, favorably, read second.

By Mr. Stallworth--

s. 420. For the relief of Mrs. Louisa Lacy, of Butler county.

February 15, read first, ways and means. February 19, favorably, read second. February 20, tabled.

By Mr. Huey—

s. 421. For the relief of the heirs of Daisy Hardy, deceased.

February 12, read first, judiciary. February 13,

favorably, read second. February 15, read third, passed. February 18, signed.

By Mr. Smith—

s. 422. To incorporate the Gulf and Chicago Railroad Company and further the construction of the same.

February 15, read first, judiciary. February 16, favorably, read second. February 18, read third, passed. February 25, signed.

By Mr. Godfrey—

s. 425. To regulate pilotage into and out of Mobile harbor. February 21, read first, judiciary.

By Mr. Hayes—

s. 426. To confirm the incorporation and organization of the Florence Cotton and Iron Company, and to define and declare the powers of said company.

February 12, read first, corporations. February 14, favorably, read second. February 25, read third, passed. February 28, signed.

s. 427. To confirm the incorporation and organization of the Lauderdale Manufacturing Company, and to define and declare the powers of said company.

February 12, read first, corporations. February 14, favorably, read second. February 19, read third, passed. February 23, signed.

By Mr. Bulger—

s. 430. To amend section 4611 of the Code of Alabama.

February 21, read first, judiciary. February 23, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Milner—

s. 432. To amend section 38 of the charter of the city of Bessemer, Alabama.

February 14, read first, corporations. February 16, favorably, read second. February 28, read third, passed, signed.

By Mr. Inge—

s. 434. To amend section 5 of an act to define the rights and liabilities of husband and wife, approved February

28, 1887, in so far as the same applies to the county of Hale.

February 16, read first. February 20, favorably, read second.

By Mr. Stallworth—

s. 438. To provide for the relief of tax payers who have erroneously paid taxes in counties adjacent to the counties wherein their lands are situated.

February 23, read first, ways and means. February 25, favorably, read second.

By Mr. Haralson—

s. 441. To amend an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburn, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Hale and Chilton, so far as same relates to Marshall county.

February 23, read first, temperance. February 28, adverse.

By Mr. Hayes—

s. 443. For the relief of Mary Rogers, a minor of Limestone county.

February 15, read first, judiciary. February 16, adverse. February 19, taken up, read second. February 20, read third, passed. February 23, signed.

By Mr. Rice—

s. 444. To amend section 1 of an act entitled an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalk, and to provide his powers and duties, approved February 17, 1885.

February 18, read first, judiciary.

By Mr. Grant—

s. 445. To amend the charter of the Jacksonville Mining and Manufacturing Company, a corporation organized under the general incorporation laws.

February 18, read first, corporations. February 20, favorably, read second. February 26, read third, passed, signed.

By Mr. Almon (by request)—

s. 446. To amend subdivision 25 of section 13 of an act entitled an act to provide a new charter for the city of Tuscumbia, approved February 28, 1887.

February 15, read first, corporations. February 16, favorably, read second. February 21, read third, passed. February 25, signed.

By Mr. Huey—

s. 447. To amend section 2 of an act entitled an act to require judges of the circuit courts, judges of the city courts and judges of the inferior courts, having criminal jurisdiction, to fix the amount of bail required of a defendant in every case as soon as the indictment is filed in court, approved February 28, 1887.

February 18, read first, judiciary. February 20, favorably, read second.

By Mr. Tayloe—

s. 448. To prevent trespass upon and damage to the property of the University of Alabama and the Alabama Insane Hospital.

February 21, read first, judiciary. February 23, favorably, read second. February 25, read third, passed. February 28, signed.

By Mr. Haralson—

s. 449. To incorporate the Paint Rock River Improvement Company and define the powers and privileges of the same.

February 18, read first, corporations.

By Mr. Pope—

s. 450. To amend section 4 of an act to pay salaries to solicitors instead of the fees which they now receive, and to require said fees to be paid into the State treasury, approved February 28, 1887.

February 20, read first, special committee. February 21, favorably, read second. February 23, read third, passed. February 25, signed. February 26, reconsidered and lost.

By Mr. Haralson—

s. 452. For the relief of A. G. Franklin, of DeKalb county, Alabama.

February 23, read first, accounts and claims.

By Mr. Handley—

s. 453. To authorize corporations to amend defects in their organization.

February 21, read first, judiciary. February 23, favorably, read second. February 25, read third, passed. February 26, signed.

s. 454. To incorporate the American Coal Company.

February 15, read first, corporations. February 18, favorably, read second. February 20, read third, passed. February 28, signed.

By Mr. Rumph—

s. 456. To require the several township superintendents of this State to report to the tax assessor of their respective counties a list of all persons residing within their respective townships and school districts subject to poll tax.

February 21, read first. February 25, adverse.

By Mr. Brewer—

s. 459. To equalize and fix the amount of the salaries of certain officers in the State.

February 23, read first, judiciary. February 25, favorably, read second. February 26, read third, lost. February 28, reconsidered, lost.

By Mr. Grant—

s. 460. To amend section 4875 of the Code.

February 25, read first, corporations.

By Mr. Haralson—

s. 461. To incorporate the city of Fort Payne, in DeKalb county, Alabama.

February 16, read first, corporations. February 20, favorably read second. February 23, read third, passed. February 28, signed.

By Mr. Parker—

s. 464. To provide for the temporary use of cells and apartments in the penitentiary, at Wetumpka, for the

safe keeping of prisoners required by law to be confined in the jail of Elmore county.

February 23, read first, penitentiary and criminal administration. February 25, favorably, read second.

By Mr. Milner—

s. 365. To cede to the United States for a limited time jurisdiction over the cite for the erection of United States government buildings in the city of Birmingham.

February 15, read first, special committee. February 16, favorably, read second. February 18, read third, passed. February 19, signed.

466. To require the clerk of the circuit court of Jefferson county, in this State, to index the several records and books in his office, which are required by law to be indexed prior to the year of 1887, and to allow him compensation therefor out of the county treasury of said county.

February 16, read first, judiciary. February 20, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Graham—

s. 471. To amend subdivision one of section 841 of the Code.  
February 23, read first, judiciary. February 25, favorably, read second.

s. 472. To amend section 3962 of the Code.  
February 23, read first, judiciary. February 25, favorably, read second.

By Mr. Bulger—

s. 473. For the relief of James B. Conine, of Tallapoosa county.

February 15, read first, local legislation. February 23, favorably, read second. February 25, read third, passed. February 26, signed.

By Mr. Hargrove—

s. 474. To amend section 1681 of the Code.

February 23, read first, revision of laws. February 25, favorably, read second.



By Mr. Parker—

- s. 476. To repeal an act entitled an act to prevent the compelling of women and children, or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, so far as the same relates to Elmore county.

February 23, read first, local legislation. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Burnett—

- s. 479. To amend section one of an act approved February 6, 1885, entitled an act to amend section 4414 of the Code.

February 23, read first, revision of laws. February 25, reported adversely, taken up, read second. February 28, amended, read third, passed, signed.

By Mr. Grant—

- s. 480. To incorporate the Orphans Home of the North Alabama Annual Conference of the Methodist Episcopal church, South. .

February 19, read first, education. February 23, favorably, read second. February 25, read third, passed. February 25, signed.

By Mr. Browne—

- s. 486. To incorporate the Anniston Loan and Trust Company of Anniston, Alabama.

February 23, read first, corporations. February 25, favorably, read second. February 28, read third, passed. February 28, signed.

By Mr. Parker—

- s. 487. To amend an act to amend section 4461 of the Code of 1886, approved February 28, 1887, so far as same relates to Crenshaw county.

February 23, read first, local legislation.

By Mr. Waddell—

- s. 488. To amend section 791 of the Code.

February 20, read first, judiciary. February 25, favorably, read second. February 26, read third, passed, signed.

By Mr. Parks—

- s. 489. To amend an act to amend section 4461 of the Code of 1886, approved February 28, 1887, so far as the same relates to Crenshaw county.

February 23, read first, local legislation. February 25, adverse.

By Mr. Grant—

- s. 490. To alter and extend the corporate limits of the city of Anniston.

February 23, read first, corporations. February 25, favorably, read second.

By Mr. Skeggs—

- s. 492. To regulate the publication of notices of sale of personal property by the sheriff in Winston county.

February 23, read first, revision of laws. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

By Mr. Burnett—

- s. 493. To authorize the governor to negotiate temporary loans not exceeding one hundred thousand dollars.

February 23, read first, ways and means. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

- s. 495. To amend sections two (2) and four (4) of an act entitled an act to provide for a vote of the people on the subject of a permanent location of the county site of St. Clair county.

February 23, read first, counties and county boundaries. February 25, favorably, read second. February 28, read third, passed, signed.

By Mr. Brewer—

- s. 496. To amend section 465 of the Code, so far as same relates to the county of Lowndes.

February 23, read first, local legislation. February 25, adverse.

By Mr. Stegall—

- s. 497. To incorporate the town of Dothen, Henry county, Alabama.

February 25, read first, corporations.

By Mr. Smith—

s 498. To relieve Susan Elder, of Mobile county, from the disabilities of non-age.

February 23, read first, ways and means. February 25, favorably, read second. February 28, read third, passed, signed.

By Mr. Parker—

H. 499. To authorize and require the sheriff of Elmore county to receive in the county jail all persons arrested or convicted for a violation of the ordinances of the city of Wetumpka.

February 23, read first, local legislation. February 25, adverse.

s. 500. To amend an act entitled an act to incorporate the city of Wetumpka, approved January 30, 1839.

February 23, read first, special committee. February 25, favorably, read second. February 26, read third, passed. February 28, signed.

s. 502. To authorize the mayor and aldermen of the city of Wetumpka to issue bonds of said city not to exceed \$15,000.00 to purchase the Wetumpka bridge, and make the same free to the public.

February 23, read first, local legislation. February 25, favorably, read second.

s. 504. To prevent stock from running at large in certain parts of beat 8, in Elmore county.

February 23, read first, special committee. February 25, favorably, read second. February 28, amended, read third, passed, signed.

# ALPHABETICAL LIST

OF THE

## MEMBERS OF THE HOUSE OF REPRESENTATIVES OF ALABAMA,

*Together with the Number of Bill introduced by each member.*

---

Mr. Speaker (Hon. C. C. Shorter of Barbour)—

117, 118, 166, 173, 275, 274, 391, 422, 476, 445, 490,  
489, 558, 628, 627, 832.

Adams—

174, 223, 437, 538, 772, 882, 894, 953.

Allen—

179, 619, 593.

Anderson—

55, 153, 313, 943.

Arrington—

84, 264, 301, 414, 604, 823, 888.

Barnett—

48, 249, 250, 297, 322, 494, 708, 950, 986, 987.

Benners—

115, 407, 500, 756, 658, 657, 594, 800, 972.

Bevis—

760.

Billingslea—

181, 483, 646, 645.

Bogart—

19, 116, 186, 236, 287, 309, 472, 773, 587, 787, 811, 983.

Bourdeaux—

612.

Bush—

491, 542, 905.

Blevins—

123, 124, 307, 762.

Bradley—

132, 220, 375, 341, 411, 537, 764, 599, 864, 865, 866,  
867.

Brown—

169, 452, 636.

Carter—

67, 259, 261, 260, 381, 435, 475, 576, 790, 846, 862,  
1001.

Clark—

195, 293, 294, 458, 592, 814.

Clements—

89, 162, 217, 267, 316, 415, 441, 442, 474, 776, 731,  
818, 895, 949, 946, 988, 1011, 1020.

Cochrane—

161, 216, 268, 266, 467, 466, 744, 745, 730, 729, 613,  
607, 580, 579, 578, 812.

Cornelius—

90, 91, 92, 163, 164, 218, 219, 278, 492, 735, 734, 733,  
732, 610, 820, 821.

Cunningham—

133, 134, 135, 188, 342, 463, 464, 534, 535, 536, 763,  
674, 675, 676, 614, 803, 804, 881, 963, 958, 971, 997.

Curtis—  
896.

Darby—  
68, 206, 207, 208, 355, 434, 541, 789, 846, 869.

Dark—  
160, 427, 611, 861, 880, 1021.

Dupree—  
88, 215, 383, 835, 836, 857, 880, 945.

Davie—  
119, 426, 548, 609, 608.

Denson—  
2, 176, 177, 227, 228, 272, 399, 446, 447, 481, 549, 750,  
603, 597, 596, 911, 936, 1029, 1030.

Dykes—  
106, 317.

Files—  
235, 473, 813.

Fitzpatrick—  
201, 299, 298, 354, 353, 469, 713, 620, 574, 891, 984,  
984, 973, 992, 994, 995, 1024, 1032.

French—  
484, 485, 662, 661, 660, 659, 831, 993.

George—  
95, 165, 269, 303, 329, 433, 758, 740, 582, 819, 824,  
952.

Hampton—  
38, 749, 684.

Hardy—  
11, 113, 362, 932.

Henderson—  
69, 70, 209, 323, 720, 927, 928, 964, 1017.



Higgins—

281, 282, 283, 284, 425, 639, 617, 568, 808, 809, 810,  
930, 1035.

Hogue—

154, 257, 258, 493, 564, 748, 715, 605, 779, 780, 829,  
552.

Hundley—

H. J. R. 1, 2. H. B. 39, 40, 41, 42, 43, 44, 45, 46, 140,  
191, 192, 193, 291, 292, 321, 311, 361, 520, 521, 693,  
692, 691, 690, 689, 688, 687, 686, 685, 903, 934.

Johnson—

98, 99, 100, 101, 224, 225, 390, 338, 398, 432, 496, 629.  
852.

Kemp—

47, 296, 499, 768, 1018.

King—

277½, 502, 798, 799.

Knight—

96, 171, 394, 406, 457, 559, 770, 752, 656, 583, 887,  
915, 916, 1026.

Kyle—

241, 343, 677, 678, 990.

Lay—

150, 151, 157, 199, 200, 248, 279, 377, 360, 359, 455,  
507, 508, 509, 545, 557, 565, 04, 589, 800, 938, 939,  
940, 942, 940, 939, 1028.

Ledyard—

53, 54, 198, 245, 295, 397, 376, 319, 421, 468, 529, 769,  
771, 755, 702, 703, 606, 863, 933, 956.

Lee—

180, 280, 326, 304, 451, 450, 449, 482, 501, 635, 961,  
985.

Lewis—

56, 57, 145, 146, 147, 148, 149, 246, 247, 314, 352,

351, 350, 470, 707, 706, 705, 572, 573, 781, 837, 898,  
897.

Long—  
270, 517, 518, 519, 233, 910.

Longshore—  
78, 79, 213, 263, 300, 315, 378, 527, 528, 722, 577, 855,  
856, 914, 947, 1025, 1031.

Lowe—  
26, 27, 28, 29, 30, 129, 130, 187, 222, 237, 238, 239,  
340, 408, 409, 461, 462, 488, 487, 542, 746, 663, 825,  
826, 900, 901, 902, 968, 959, 967, 979, 978, 977, 976.

Maddox—  
80, 81, 82, 83, 159, 379, 429, 430, 723, 724, 725, 726,  
601, 929.

Mancill—  
110, 111, 120, 221, 273, 318, 453, 497, 637, 839.

Maley—  
229, 480, 889.

Meador—  
141, 142, 242, 783.

Miller—  
94, 416, 566, 738, 737, 951

Moseley—  
168, 346, 345, 344, 586, 805, 806, 807, 840, 970.

McElderry—  
214, 265, 384, 356, 524, 727, 622, 600, 598, 791, 850,  
890.

McElvey—  
327, 456, 679.

McLendon—  
202, 251, 324, 413, 436, 753, 754, 962.

McLeod—

5, 178, 230, 392, 393, 448, 567, 767, 797, 974, 975,  
1004.

McRae—

31, 32, 33, 325, 419, 680, 602, 892, 944.

Nelson—

6, 7, 109, 438, 634, 633, 844.

NeSmith—

136, 240, 479, 465, 782, 908, 991.

Nisbet—

72, 73, 74, 75, 76, 77, 156, 210, 211, 212.

Payne—

34, 35, 36, 37, 138, 139, 189, 290, 683, 682, 681, 570,  
923.

Parker—

16, 233, 337, 471, 112, 547, 757, 651, 1003.

Patton—

114, 184.

Pettus—

14, 15, 234, 328, 320, 319, 306, 454, 650, 649, 648, 647,  
833, 834, 872, 873, 874, 875, 876, 877, 878, 879, 884,  
991.

Pitts—

62, 63, 64, 65, 66, 170, 256, 332, 510, 581, 904, 954,  
1016.

Porter—

20, 21, 22, 23, 24, 25, 131, 289, 288, 386, 385, 382, 374,  
373, 372, 371, 370, 369, 368, 367, 266, 365, 364, 410,  
460, 486, 530, 531, 532, 533, 562, 775, 751, 673, 672,  
671, 670, 669, 668, 667, 666, 665, 664, 785, 786, 868,  
886, 917, 918, 919, 920, 921, 966, 957, 998, 1003.

Powell—

102, 539, 632, 794, 907, 906.

Pratt—

444, 626, 625, 590, 591, 588, 802.

Posey—

93, 736, 851.

Rabb—

125, 276, 653, 652, 924, 1027.

Rattray—

3, 4, 107, 108, 335, 439, 440, 561, 623, 853, 854.

Richardson—

363.

Russell—

550, 893.

Simmons—

8, 9, 428, 511, 512.

Sowell—

137, 310, 584, 980.

Summers—

10, 336, 795, 796, 847, 935.

Smaw—

655, 830, 909, 999, 1000.

Smisson—

231, 305, 555, 556, 569, 870, 871.

Smith—

158, 262, 563, 727, 784.

Stansel—

155, 205, 418, 513, 514, 747, 918, 717, 716, 575, 827,  
828, 858, 859, 912, 937, 948.

Stone—

204, 203, 553, 801, 842, 922.

Stowers—

333, 551, 774, 630, 899.

Tatum—

424, 498.

Wade—

17, 126, 127, 183, 308, 387, 400, 401, 402, 403, 404,  
405, 431, 516, 560, 761, 654, 838, 841, 926, 931, 989.

Walker—

347, 190, 412.

Ward—

18, 128, 185, 339, 546, 741, 624, 595.

Watson—

112, 121, 271, 540, 638, 621, 955.

Walters—

167, 788.

Weaver—

50, 255, 522, 523, 714, 792, 793, 822, 843, 925.

Webb—

85, 86, 87, 302, 380, 357, 420, 477, 478, 525, 526, 728,  
615, 845, 1019.

Wiley—

49, 172, 252, 253, 254, 331, 358, 423, 544, 712, 711,  
710, 709, 778, 349, 848.

Williams—

103, 104, 105, 175, 226, 334, 504, 508, 506, 631, 815,  
816, 817, 941, 1015.

Winston—

58, 59, 60, 61, 143, 144, 196, 197, 243, 244, 312, 515,  
765, 766, 701, 700, 699, 698, 618, 965.

Woolf—

51, 52, 194, 396, 395, 348, 697, 696, 695, 694, 571, 960,  
959, 1014.

White of Dallas—

12, 13, 122, 182, 232, 285, 330, 417, 459, 443, 554, 743,

644, 643, 642, 641, 640, 616, 883, 813, 996, 1012,  
1013, 1022, 1023.

White of Geneva—

286, 389, 388, 759.



# INDEX TO GENERAL LAWS.

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(NOTE.—By referring to the appropriate number of bill—house or senate—in the register, the action of the house on each bill may be readily ascertained.)

## BRANCH AGRICULTURAL COLLEGE—

To be located near Abbeville. H. 38.

## ACTS—

Provide for publication of. H. 417.

## ACTS AMENDED—

To amend section 499, Code of 1876, of act approved February 18, 1887. H. 117.

Regulate practice of pharmacy and sale of poisons. H. 200.

Amend section 21 of an act entitled an act to amend sections 6, etc., approved February 28, 1887, providing for assessment and collection of taxes. H. 505.

Make annual appropriation to State agricultural society, approved February 22, 1887. H. 420.

Powers of street railroads. H. 410.

To provide for registration and lien of judgments and decrees for payment of money. H. 788.

More effectually secure competent jurors. S. 43.

Section one of act approved February 6, 1885, amending section 4414 of Code. S. 479.

To regulate a system of public instruction. S. 277.

Sections one and seven of an act approved February 22, 1887, to authorize issue of bonds. H. 441.

## AGRICULTURAL AND MECHANICAL COLLEGE—

Appropriation to complete, furnish and equip buildings. H. 193.

Trustees authorized and directed to comply with terms and conditions expressed in an act passed by Congress, approved March 2, 1887. H. J. R. 6.

## ALABAMA INSANE HOSPITAL—

To regulate summoning superintendent as witness in certain cases. s. 116.

Land of, can be quit-claimed to United States for certain purposes. H. 744.

Land of, prevent trespass upon. s. 448.

Land of, rock quarries on may be opened. H. 744.

## ALABAMA INSTITUTE FOR THE DEAF—

Annual appropriation for insurance, repairs, etc. s. 54.

Providing for a mechanical and industrial department in. s. 52.

## ALABAMA ACADEMY FOR THE BLIND—

To provide for additional improvements and buildings, and furnishing same. s. 53.

## APPROPRIATIONS—

For ordinary expenses of executive, legislative and judicial departments of the State, interest on public debt, and for public schools. H. 232.

Returning taxes wrongfully assessed and collected. H. 56.

Two and three per cent. fund. s. 378.

## FOR DEFICIENCIES—

For public printing. H. 185.

Distributing acts, journals and other public documents. H. 185.

Payment of sheriffs deficiency for removal of prisoners in fiscal year 1887. H. 557.

## ATTACHMENTS—

Issued by justices of the peace, mode and time of advertising sale. H. 447.

## AUDITOR—

Instructed to have new settlement with tax collectors who paid over sixty thousand dollars into State treasury for 1887. H. 543.

## BONDS—

To amend act to authorize issue of. 118.

## BLIND, ALABAMA ACADEMY FOR THE—

Appropriations for additional improvements and buildings and furnishing same. s. 53.

## BUILDING AND LOAN ASSOCIATION—

To provide for increasing capital stock of. H. 28.

## CAPITOL—

For repairing and furnishing and improving grounds of. H. 664.

## CITIES AND TOWNS—

To regulate practice of pharmacy and sale of poisons in. H. 200.

## CODE—

Sections, numbers of, ratified, approved and confirmed. H. 603.

## SECTIONS AMENDED, CIVIL—

- 10, laws in force and laws repealed. H. 884.
- 43, mileage changed from Coosa county. H. 636.
- 96, State auditor. H. 27.
- 120, State auditor and State treasurer, report annually to governor. H. 27.
- 143, fertilizers and chemicals for manufacturing to be branded. H. 425.
- 149, expenses department of agriculture. s. 385.
- 150, experiment station of agricultural and mechanical college. H. 858.
- 157, military staff of governor. s. 179.
- 159, appointment of ordinance officer. s. 180.
- 215, classification and printing of acts. H. 319.
- 454, subdivision six, privilege tax on express, telegraph and sleeping car companies. H. 557.
- 463, fees of tax assessors. H. 486.
- 491, assessor to make list of all lands in county. H. 738.
- 529, fees of tax collectors. H. 486.
- 629, subdivision 29, license for cock pits. H. 897.
- 699, subdivision 29, license for peddlers. H. 897.
- 677, term of supreme court. s. 336.
- 710, regulating sale of Alabama Reports. s. 4.
- 714, northeastern chancery division, times and places of holding court. s. 1.

## CODE—Continued.

- 716, times and places of holding chancery courts in southeastern division. H. 125.
- 749, times and places of holding court in the second circuit. s. 137.
- 749, times and places of holding court in fourth circuit. H. 63.
- 749, times and places of holding court in fifth circuit. H. 2.
- 791, records of probate office free for examination of all persons. s. 488.
- 835, justices of peace hold office until successor qualifies. s. 17.
- 981, report of income for rent or lease of school lands. s. 271.
- 1085, interest on land scrip fund of A. and M. College, payable quarterly. H. 859.
- 1305, physicians, druggists, etc., when entitled to certificates without examination. H. 609.
- 1395, persons exempt from working roads. s. 106.
- 1399, apportioners and overseers of roads. H. 203.
- 1428, duty of overseers of public roads. H. 451.
- 1525, succession by corporate name, thirty years. H. 150.
- 1588, railroad corporations. s. 353.
- 1594, stockholders and directors may hold meetings without the State. s. 374.
- 1664, additional powers of corporations. H. 1012.
- 1759, holidays, paper due on. s. 384.
- 1761, paper or bonds issued, payable to any thing or bearer. H. 508.
- 1879, 1880, 1881, 1882, redemption of real estate sold under execution, decree, mortgage or deed of trust. H. 520.
- 2551, homestead of widow and minor children. s. 357.
- 2719, assessment of value and damages on trials. H. 71.
- 2721, on failure of unsuccessful party to deliver property; sheriff's duty. H. 158.
- 2732, prescribing the time of pleading. H. 37.
- 2756, duty of judge in relation to charges to jury moved for by the parties. H. 177.
- 2772, proof of corporation or firm when suit is brought. s. 329.
- 2816, interrogatories to corporations; how to be answered. s. 257.

## CODE—Continued.

- 2972, unpaid subscriptions of stockholders in corporations subject to garnishment. s. 289.
- 3012, claim to property levied on under attachment. s. 70.
- 3024, fee of judge of probate. H. 369.
- 3027, liens of contractors, material men, laborers, employees, etc. H. 25.
- 3210, number of jury for condemnation of land for public use. H. 718.
- 3365, trial of right of property. H. 721.
- 3522, bond on injunction of judgment. H. 801.
- 3523, bond on injunction after recovery of land. H. 800.
- 3524, bond on injunction in other cases. H. 801.
- 3546, creditors may join as complainants in bill of discovery. s. 299.
- 3547, receiver may be appointed, etc. s. 299.
- 3574, proceedings on death of trustee. s. 149.
- 3625, condition of supersedeas bond. s. 163.
- 3683, fees allowed to register in chancery. H. 830.

## CRIMINAL CODE—

- 3792, on conviction for larceny, embezzlement, etc., value of articles added to cost, and shall be paid as other cost. s. 62.
- 4035, fine for drunkenness. H. 537.
- 4038, selling or giving liquor to minor or person of intemperate habits. H. 608.
- 4563, treatment and task of State and county convicts. H. 885.
- 4611, penitentiary convicts not assigned. s. 430.

## SECTIONS REPEALED.

- 629, paragraphs 35 and 36, license of drummers and fruit tree venders. H. 167.

## CONFEDERATE SOLDIERS—

- Appropriation for relief of. H. 243.
- Monument. H. 49.

## CORPORATIONS—

- Manner provided by which corporations may alter or amend charter. H. 340.
- May amend defects in their organization. s. 453.

## CORPORATIONS—Continued.

Private business corporations organized under laws of this State can hold stockholders' and directors' meetings and do corporate acts in other States.  
s. 133.

Manner in which preferred stock of may issue. H. 182.  
How interrogatories propounded to are to be answered.  
s. 257.

## COSTS—

Provide for payment of when felon sentenced to penitentiary. H. 879.

## COUNTIES—

Laws of each county may be codified every ten years.  
s. 49.

Must pay sheriffs for attending court (sec. 4872 of Code). H. 521.

## COUNTY SUPERINTENDENT OF EDUCATION—

elected by the people. H. 226.

## COURTS—

## SUPREME—

To provide for an additional judge. s. 338.

## CIRCUIT COURTS—

Judge of seventh circuit may fix time when criminal dockets may be taken up. H. 723.

Time of opening court in third and fifth circuits. s. 191.

Fifth judicial circuit—prescribing the time for pleading in. H. 37.

## CROPS—

Mortgage can be given on unplanted. s. 177.

## CRIMINAL INSANE—

In relation to criminal insane persons who are charged by indictment with murder and other high crimes. s. 252.



## DEEDS—

Conveyances of any kind heretofore made can be filed and recorded within two years. H. 438.

## DEPOSITIONS—

Of non-resident witnesses. H. 51.  
of superintendent of Alabama Insane Hospital; when may be taken. s. 116.

## DETINUE—

To provide for the interposition of claims in statutory detinue.

## EMBEZZLEMENT—

To further define and punish the crime of. s. 31.

## ENCAMPMENT—

Of Alabama State Troops—appropriation to pay expenses of. H. 421.

## EXECUTIONS—

Issued on judgments by justices of the peace and notaries public, and *ex officio* justices of the peace. H. 447.

## FARMERS ALLIANCE—

Members of may organize themselves into a body corporate. s. 87.

## FARMERS INSTITUTES—

To provide for conducting of in the State. H. 731.

## FEES—

Solicitors. H. 494.

## FEMALE EMPLOYEES—

For protection of the health of. H. 494.

## FENCE—

Lawful wire. H. 242.

## GAMBLING—

An act for the better suppression of. H. 702.

## GOVERNOR—

Authorized to negotiate temporary loans for State.  
s. 493.

reconvey certain lands to U. S. upon conditions described in act. H. 732.

authorized to settle with David G. Allen, one of the sureties on bond of Isaac H. Vincent, late State treasurer. H. 481.

## HEIRS AND DISTRIBUTEES—

To enable them to perpetuate testimony. H. 833.

## INDEX DIGEST—

State subscription for. H. 328.

## INSANE PERSONS—

In relation to trial of for high crimes. s. 252.

## INSPECTORS OF CONVICTS—

Temporary clerk. H. 819.

## INTERROGATORIES—

How to be answered when propounded to a corporation. s. 257.

## JOINT RESOLUTIONS—(See end of index.)

## JUDGE OF PROBATE—

May pay certain funds to minors. H. 176.

## JUDGMENTS—See LIENS.

## JURORS—

To amend an act to secure competent and well qualified.  
s. 43.

## JUSTICES OF THE PEACE—

How advertisements shall be made of sales under--executions issued by. H. 447.

Furnish itemized bill of costs. H. 359.

Must make report to solicitor or grand jury on second day of the term of all persons bound over. s. 32.

## LANDS—

- Distinct parcels sold for taxes may be redeemed. H. 21.
- Money tendered for redemption of, may be paid into court on trial of unlawful detainer suits. s. 68.
- To regulate the survey and division into lots and platting the same. H. 702.
- How to be listed. s. 325.

## LAWS—

- Of each county may be codified. s. 49.

## LAWFUL FENCE—

- Defining a lawful wire fence in this State. H. 242.

## LIENS—

- Registering of judgments and decrees. H. 788.

## LIFE—

- To protect human. s. 162.

## MILITARY—

- Appropriation for encampment of State troops. H. 421.
- Authorizing the election of additional major. H. 245.

## MINORS—

- Judges of probate authorized to pay certain funds to when property of non-residents, etc. H. 55.
- May be sold; see, also, s. 88.
- Corporations or individuals pay over amount due parents, less than \$1,000.00. s. 305.
- Protection of. H. 55.

## MOBS—

- For better prevention of. s. 366.

## MONUMENTS—

- Appropriation for, to memory of Alabama soldiers. H. 49.

## MORTGAGES—

- Can be given on unplanted crops. s. 177.

NOTARIES PUBLIC—

See justices of the peace.

NORTH ALABAMA—

Branch experiment station, etc. H. 38.

PHARMACY—

To amend an act to regulate practice of in towns and cities of, in Alabama. H. 200.

PLEADING—

Prescribing the time of. H. 37.

POLL TAX—

Available for school purposes in each township. S. 302.

PREFERRED STOCK—

May be issued by corporations. H. 182.

PUBLIC PRINTING—

Providing for the public printing and binding. H. 276.

PUBLIC SCHOOLS—

Amount available in each scholastic year. S. 302.

Funds of sixteenth section; secure interest on which is payable by the State. H. 860.

Act amended regulating a system of public instruction. S. 277.

COUNTY SUPERINTENDENT OF EDUCATION—

Providing for election of. H. 226.

QUARANTINE—

Act amending quarantine laws. S. 357.

RAILROADS—

To provide greater security for travelers on. H. 192.

To provide means for ascertaining value of stock killed on or injured on railroads in State. H. 86.

RAILROAD COMMISSION—

Appropriation for expenses of. H. 119.

## REDEMPTION—

Money tendered for redemption of real estate may be paid into court on trial of unlawful detainer suits. s. 68.

Lands sold for taxes, distinct parcels may be redeemed. H. 21.

## REGISTERS IN CHANCERY—

Fees allowed, section 3683 of the Code amended. H. 830.

## RESOLUTIONS—

See end of index.

## RIOTS—

For better prevention of. s. 366.

## SHERIFFS—

Appropriations to pay deficiency for removal of prisoners in fiscal year 1887. H. 554.

Shall keep in his office, for inspection of the public, a record of prisoners in jail, etc. H. 1011.

Fee of \$2.00 per day for attendance on court (section 4872 of the Code), must be paid by county. H. 521.

## SIXTEENTH SECTION FUND—

To provide for the disposition of the funds derived from the sale of sixteenth sections or other school lands, and to secure the interest thereon for the public schools of the State. H. 860.

## SOLICITORS—

Regulate collection of fees of. H. 942.

Salary of solicitor of tenth circuit. H. 913.

For tenth judicial circuit, appointment and election of. H. 105.

To regulate collection and payment of fees into treasury. H. 942.

## STATE AGRICULTURAL SOCIETY—

To amend an act to make an annual appropriation for benefit of. H. 420.

## STATE SUPERINTENDENT OF EDUCATION—

See public schools.

## STOCKS—

To provide means of ascertaining value of stock killed or injured on railroads in State. H. 86.

## STREET RAILROADS—

To amend an act in regard to. H. 410.

## SUPREME COURT—

See courts.

## SWAMP AND OVERFLOWED LANDS—

For the relief of purchasers of. H. 14.

## TAXES—

When wrongfully assessed and collected, money to be collected, money to be returned. H. 56.

To amend an act to provide for return. H. 1028.

Lands sold for; distinct parcels may be redeemed. H. 21.

Sales of lands made previous to 1881 for unpaid taxes declared void except in certain cases. H. 433.

To fix the rate of taxation in this State. H. 89.

For relief of persons whose lands were sold for taxes and purchased by the State. H. 35.

To amend section 21 of revenue bill of 1886-7. H. 545.

## TAX ASSESSOR—

Provide for listing of lands by. S. 325.

## TAX COLLECTORS—

To authorize the auditor to settle with the tax collectors for taxes collected and paid in by them for the year of 1887 at rate of commissions allowed by laws in force at time of adoption of Code. H. 543.

## TAX SALES—

For relief of persons whose lands were sold for taxes and purchased by the State. H. 35.

## TESTIMONY—

To enable heirs and distributees to perpetuate testimony. H. 833.



## TUMULTS—

For the better prevention of. s. 366.

## UNITED STATES—

Two and three per cent. fund appropriations. s. 378.

Trustees of insane hospital can quit claim land to for certain purposes. H. 744.

Site for erection of U. S. Government building in Birmingham ceded to U. S. s. 465.

To authorize the governor to convey certain lands to. H. 732.

## UNLAWFUL DETAINER—

Providing for payment into court of money tendered for redemption of real estate on trial of unlawful detainer suits. s. 68.

## WATCHMAN AT CAPITOL—

Providing additional. H. 986.

## WIDOWS—

Of Confederate soldiers, etc., appropriations for relief of. H. 243.

Of deceased employee may receive amount that was due him without administration, s. 305.

Protection of. H. 555.

## WIRE FENCE—

Defining a lawful wire fence in this State. H. 242.

## WITNESSES—

To authorize taking and perpetuating testimony of non-residents. H. 51.

# INDEX TO LOCAL LAWS.

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## ACTS AMENDED—

- to secure jurors in Montgomery county. H. 48.
- prevent stock from running at large in Tallapoosa and Coosa counties. H. 6.
- section 3 of act to regulate fine and forfeiture fund of Lowndes county. s. 39.
- establish new charter for city of Demopolis. s. 91.
- relating to working public roads in Jefferson county. H. 371.
- to prevent stock from running at large in Chambers county. H. 229.
- prescribe term of office, etc., of county commissioners of Morgan, Cherokee, St. Clair and Cleburne counties. s. 20.
- amend and extend the charter of Mobile Mutual Insurance Company. H. 153.
- authorizing commissioners court of Barbour county to establish or abolish stock law districts. H. 490.
- to provide for a solicitor for Montgomery county. s. 130.
- declare parties named citizens of Bullock, and to change line between Pike and Bullock. s. 152.
- incorporate female institute of Tennessee conference, at Athens, Ala. H. 345.
- create a separate school district in Jackson county, to be known as Pleasant Grove. H. 236.
- relating to the manner of appointing overseers and apportioners of roads in Jackson county. H. 287.
- sections of act to provide for more efficient working of public roads in Talladega county. H. 380.
- section 4 of act to secure jurors, so far as same relates to Pike. H. 434.
- granting right of way, etc., to Nashville and Chattanooga Railroad Company. H. 321.
- section of act incorporating district of Opelika. H. 241.

## ACTS AMENDED—Continued.

- relating to stock law districts in Barbour county.  
H. 542.
- to incorporate the Southwestern Railroad Company.  
H. 624.
- establish sinking fund commission for Selma, approved Dec. 12, 1888. H. 641.
- provide for funding and paying the legal debts of Selma, created prior to Dec. 6, 1875. H. 642.
- incorporate Birmingham, Mobile and Navy Cove Harbor Railroad Company. H. 705.
- charter for town of Louisville, in Barbour county.  
s. 101.
- to incorporate town of Livingston, in Sumter county.  
s. 267.
- charter of city of Montgomery. H. 544.
- to regulate taking up stock in Wilcox county. H. 329.
- incorporate town of Anniston. H. 506.
- incorporate the Baptist female institute, at Moulton. s. 408.
- fix compensation of tax assessor of Mobile county.  
H. 470.
- establish and incorporate the Scott Academy, at Scottsboro. H. 743.
- incorporate Town Creek, in Lawrence county.  
H. 782.
- divide State into four chancery divisions, as to 14th and 15th districts of northwestern chancery division. H. 519.
- stock law of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry. H. 604.
- to incorporate the town of Scottsboro, in Jackson county. H. 787.
- regulate disbursement of proceeds from hire of convicts in Marengo county. s. 282.
- to provide a new charter for city of Tuscumbia.  
s. 446.
- protect and regulate time and manner of catching fish, etc., as far as relates to counties of Baldwin and Mobile. s. 44.
- incorporate town of Prattville. H. 590.
- establish Warrior Agricultural District. H. 316.
- act relating to stock law districts in Talladega county.  
s. 219.

## ACTS AMENDED—Continued.

- game law of Hale county. H. 756.
- to establish a river commission for Mobile river and branches. H. 704.
- incorporate city of Tuscaloosa, ect. s. 208.
- the Mechanics Hook and Ladder Company of Montgomery. s. 150.
- prevent stock from running at large in certain parts of Marengo county. s. 304.
- incorporate town of Hartselle, in Morgan county. s. 183.
- incorporate the District of Opelika. s. 236.
- St. Clair Coal Company. H. 725.
- amend charter of Shelby Iron Company. H. 527.
- establish new charter for town of Cullman. s. 161.
- to incorporate Lomax Fire Engine Co. No. 4 of city of Montgomery. s. 188.
- provide for a vote of the people on permanent location of county site of St. Clair county. s. 495.
- charter of the city of Birmingham. s. 347.
- to protect owners of stock in Clarke county. s. 195.
- incorporate the city of Calera. s. 375.
- Wetumpka. s. 509.
- Sheffield. s. 391.
- create a board of education for the town of Decatur. s. 241.
- game law of Mobile and Baldwin counties. H. 430.
- to incorporate the city of Selma. H. 640.
- establish city court of Birmingham. H. 462.
- amend an act to establish new charter for the city of Birmingham. H. 826.
- authorize county commissioners of Lee and Pickens to settle bonded indebtedness of said counties. H. 842.
- authorize mayor and aldermen of Gadsden to negotiate loan, etc. H. 989.
- regulate the payment of claims against the general fund of Randolph county. H. 1017.

## ACTS REPEALED—

- regulating trial of misdemeanors in Elmore county. H. 16.
- regulating trial of misdemeanors in Macon county. H. 34.

## ACTS REPEALED—Continued.

conferring additional jurisdiction upon county court of Chambers. H. 1.

regulating keeping of dogs in Cherokee county. H. 107.

authorizing election on prohibition in Jackson county. H. 19.

amending section 1630 of the Code of 1876 as to Wilcox county. H. 165.

providing for more efficient working of public roads in Dallas county. H. 17.

regulating trials of misdemeanors in Bibb county. H. 97.

to change the apportioning of hands on roads in Tallapoosa county. H. 215.

section four of act providing for election, etc., of justices and constables in part of Mobile county. H. 147.

to regulate publication of legal notices in certain counties, so far as same relates to Coffee and Coosa counties. H. 428.

charter ferry at or near Cedar Bluff in Cherokee county. H. 3.

incorporate town of Eunola, Geneva county. H. 389.

provide for more efficient working of public roads in Jackson county. H. 472.

raise a fund for the benefit of the fire companies in city of Mobile. S. 199.

provide for appointment of county solicitor for DeKalb. H. 762.

authorize county commissioners of Elmore county to erect bridge across Coosa at Wetumpka, and to issue bonds to pay for same. H. 757.

incorporate town of Blount Springs, in Blount county. H. 398.

regulate the pay and mileage of jurors and commissioners of Geneva county. H. 286.

provide for keeping in better repair the public roads of Morgan county. H. 255.

prevent the compelling of women and children, or permitting of children to labor, etc., as far as relates to Elmore and Autauga counties. S. 476.

protect domestic animals in Covington county against camp hunters. H. 637.

authorize the laying off of the county of Pike into commissioners districts, etc. H. 846.

## ACTS REPEALED—Continued.

for the preservation of game, etc., so far as relates to  
beat number seven, in Talladega county. H. 370.  
to require county superintendents of education of coun-  
ties of Lamar, Fayette and Marion, to pay the  
teachers of public schools monthly. H. 599.  
define county line between Dallas and Perry coun-  
ties. H. 780.  
amend section one of act to incorporate town of  
North Port. H. 949.

## ADAIR, G. B.—

relief from disabilities of non-age. s. 316.

## AGE-HERALD COMPANY—

charter amended; acts and doings under charter con-  
firmed. s. 301.

ALABAMA FUEL, LIGHT AND POWER MANUFAC-  
TURING AND SUPPLY COMPANY—

to incorporate. s. 190.

## ALABAMA AND GEORGIA RAILROAD COMPANY—

to incorporate. s. 6.

ALABAMA INVESTMENT AND SECURITY COMPA-  
NY—

to incorporate. s. 415.

## ALABAMA LAND IMMIGRATION COMPANY—

to incorporate. s. 350.

ALABAMA LOAN AND BANKING COMPANY OF  
FLORENCE, ALABAMA.

to incorporate. H. 813.

ALABAMA SYNOD OF THE CUMBERLAND PRES-  
BYTERIAN CHURCH—

to incorporate. s. 296.

## ALABAMA AND TEXAS RAILROAD COMPANY—

to incorporate. H. 709.



## ALCO, TOWN OF—

to incorporate. H. 653.

a separate school district. H. 924.

## ALLEN, DAVID G.—

governor authorized to settle with as one of the sureties on bond of Isaac H. Vincent, late State treasurer. H. 481.

## ALLEN, R. G., ADMINISTRATOR—

relief of. H. 974.

## AMERICAN COAL COMPANY—

to incorporate. S. 454.

## ANNISTON, TOWN OF—

to provide for election of mayor and councilmen. S. 129.

charter of amended. H. 506.

the city court of established. H. 504.

## ANNISTON AND MONTGOMERY RAILROAD CO.—

to incorporate. S. 23.

## ANNISTON WATER SUPPLY CO.—

to incorporate. S. 7.

## ARMSTRONG, JAMES—

appropriation to pay for articles purchased for use of senate. H. 952.

## ASKEW, S. H. AND W. S.—

relief of. H. 697.

## ATTALLA, CITY OF—

new charter for. H. 937.

## AUTAUGA COUNTY—

prohibition in all places in county, except in incorporated towns and cities having police regulations. H. 20.

stock law in precincts 1, 2, 3, 4, 5, and 6. H. 591.

act amended authorizing stock law districts. H. 604.

## AUTAUGA COUNTY—Continued.

authority with Montgomery county to erect bridge across Alabama river, and to issue bonds to pay for same.  
H. 849.

repeal of an act relating to work of women and children  
s. 476.

to regulate taking up and confinement of stock in certain stock law districts. H. 626.

## AVONDALE, TOWN OF—

charter of. H. 672.

## BALDWIN COUNTY—

prohibition law repealed, within half a mile of the Catholic church at Battle's Wharf. s. 59.

prohibition, within six miles of Stockton church. H. 163.

to amend act for protection of fish. s. 44.

game law amended. H. 430.

## BAPTIST MALE AND FEMALE INSTITUTE AT MOULTON—

to amend an act to incorporate. s. 408.

## BARBOUR COUNTY—

to establish Belcher school district. H. 274.

county tax assessor to keep assessor's book, lists, etc., at Eufaula. H. 422.

to regulate the receiving of assessments of property after the completion of his sittings, by the tax assessor of Barbour county. H. 627.

to regulate the trial of misdemeanors in. s. 233.

provide for payment of official services of sheriff of county. s. 285.

stock law act amended. H. 490.

act amended relating to stock law districts. H. 542.

to ratify acts of commissioners in establishing stock districts. H. 832.

amend section 3685 of Code. H. 391.

regulating sale of seed cotton. H. 173.

to regulate the payment of claims of justices of the peace and constables against fine and forfeiture fund.  
H. 489.

## BARBOUR COUNTY—Continued.

prohibition, within two and a half miles of Barker's church. H. 163.

within three miles of Pea River Presbyterian church. H. 163.

within two miles of Bethlehem Baptist church. H. 163.

section 1319 of Code amended as to town of Louisville. s. 100.

prohibition, except in incorporated towns, having police regulations, after January 1, 1890. s. 215.

prohibition repealed, within three miles of the Methodist Episcopal church, south, in Clayton. s. 59.

## BESSEMER, CITY OF—

charter of amended. H. 131.

section 38 of charter amended. s. 432.

## BESSEMER AND BIRMINGHAM RAILROAD CO.—

to confirm, amend and enlarge charter of and to change name. H. 237.

## BESSEMER LAND AND IMPROVEMENT CO—

charter confirmed, amended, etc. H. 29.

## BIBB COUNTY—

repeal of act to regulate trial of misdemeanors. H. 97.

## BIRMINGHAM, CITY OF—

charter amended. s. 347, H. 826.

authorized to issue bonds. H. 26.

site for United States Government buildings in city ceded to United States. s. 465.

to amend act to establish city court. H. 462.

ratifying, approving and confirming action of mayor and aldermen in allowing Caldwell Hotel Company to occupy a portion of one of the public alleys in city. H. 671.

## BIRMINGHAM FEMALE COLLEGE—

to incorporate. s. 229.

## BIRMINGHAM, MOBILE AND NAVY COVE HARBOR RAILROAD CO.—

act of incorporation amended. H. 705.

## BIRMINGHAM SAFE AND LOCK CO.—

charter amended and ratified, and powers enlarged.  
s. 253.

## BIRMINGHAM TRUST AND SAVINGS CO.—

charter amended. s. 244.

## BLACK, MRS. SEVILLA C., of Fayette county—

relief of. s. 317.

## BLOUNT COUNTY—

to form a separate school district—Blount Springs.  
H. 100.

prohibition within five miles of Village Springs Academy.  
H. 101.

prohibition, within six miles of Champion. s. 215.

township trustees of public schools to be elected. H. 810.

people to vote on subject of permanent location of county  
site. H. 98.

incorporation of Blount Springs repealed. H. 398.

claims against fine and forfeiture fund. H. 4.

## BOLLING, SAMUEL J.—

relief from payment of interest as surety on bond. s. 231.

## BROWNEVILLE, Lee county—

name changed. H. 679.

## BUCHANNAN, G. N., Pike county—

relief. H. 869.

## BULLOCK, JAS. M., Administrator of—

relief of, administering on estate of deceased, in Mobile  
county. s. 266.

## BULLOCK COUNTY—

act amended to change the line between Pike and Bullock  
counties. s. 152.

to lay off the county into four commissioners districts.  
H. 630.

amend section 1420 of Code. H. 899.

bar certain claims of witnesses registered against fine  
and forfeiture fund. H. 632.

## BUTLER COUNTY—

to prevent stock from running uncontrolled on crops in  
beats five and eight. H. 277½.

relief of Samuel J. Bolling and Warren R. Thagard, from  
payment of interest as sureties on bond. S. 231.

## CALDWELL HOTEL COMPANY—

action of mayor and aldermen of city of Birmingham  
ratified allowing company to occupy portion of one  
of the public alleys in said city. H. 671.

## CALERA, CITY OF—

section 17 of charter amended. S. 375.

## CALHOUN COUNTY—

to prevent hunting on lands of another without permis-  
sion. H. 325.

enlarge criminal jurisdiction of justices of the peace.  
H. 365.

regulate the fine and forfeiture fund. S. 394.

stock law districts; to authorize elections thereon.  
H. 209.

for protection of game. H. 580.

commissioners court authorized to levy a tax for work-  
ing the public roads, and to let out same to con-  
tract. H. 817.

prohibition, within three miles of Oak Grove church.  
S. 215.

commissioners entitled to mileage for special terms, or  
when they meet as jury commissioners. S. 393.

## CAINE, J. T.

declared a citizen of Dallas county. H. 645.

## CAMDEN, TOWN OF—

providing for election of mayor and aldermen. H. 482.

## CARTER, V. E., ADMIN'X—

relief of. H. 975.

CENTRAL CITY BUILDING AND LOAN ASSOCIA-  
TION, OF SELMA—

charter of amended. S. 216.

## CHAMBERS COUNTY—

repeal of act to confer additional jurisdiction upon  
county court of. H. 1.

amending act to prevent stock from running at large.  
H. 229.

stock law in beats 1, 2, 7 and 13. H. 480.

providing for settlement of indebtedness of county to  
the State. s. 109.

LaFayette a separate school district. H. 549.

price of license to be paid for selling liquor at retail or  
wholesale in beat number 8. H. 446.

prohibition in beat two. s. 215.

## CHAMBERS, WM. E.—

relief from disabilities of non-age. H. 399.

## CHAPMAN, T. P.—

relief of. H. 155.

CHATTANOOGA, ROME AND COLUMBUS RAILROAD  
COMPANY—

to confer certain privileges on. H. 712.

## CHILDERSBURG, TOWN OF—

to incorporate. H. 845.

## CHOCTAWHATCHIE RIVER—

To prohibit driving logs, etc., in, below Newton, in Dale  
county. H. 556.

## CHEROKEE COUNTY—

time and place of holding chancery court. s. 339.

repeal of act regulating keeping of dogs. H. 107.

fixing term of office, etc., of county commissioners,  
amended. s. 20.

repeal of sec. 1450 of Code, so far as applies to county.  
H. 108.

repeal of act to charter ferry at or near Cedar Bluff.  
H. 3.

claims against fine and forfeiture fund. H. 4.

## CLARKE COUNTY—

to form a separate school district to be known as Sa-  
litpa. H. 5.



## CLARKE COUNTY—Continued.

- give county commissioners court exclusive control of public printing in county. H. 179.
- providing for paying State witnesses in cases where State fails. H. 230.
- duties of probate judge relating to indexes, etc. H. 567.
- judge of probate to draw warrant on county treasury in favor of Jos. W. Cunningham and Mrs. A. A. York, forfeited bail bond. H. 797.
- to amend act to protect owners of stock. s. 195.
- sections 762 and 763 of Code, relating to constables attending court, amended. H. 194.
- to regulate fees of sheriff. H. 1004.

## CLAY COUNTY—

- act amended to prevent stock from running at large. H. 6,
- prohibition in. H. 109.

## CLEBURNE COUNTY—

- time and place of holding chancery court. s. 339.
- to give county commissioners court exclusive control of public printing in county. H. 179.
- providing for working public roads by taxation. H. 593.

## COFFEE COUNTY—

- repeal of act to regulate publication of legal notices, so far as same relates to Coffee. H. 428.
- to authorize Nancy Hawkins to sell certain land lying in county. H. 8.
- Titi a separate school district. s. 38.
- prohibition within four miles of New Ebenezer Baptist church. s. 215.
- to amend an act to create a separate school district in. H. 512.

## COLBERT COUNTY—

- regulating trial of misdemeanors in. s. 119.
- city of Tuscumbia a separate school district. s. 76.
- for protection of game. H. 726.
- claims against fine and forfeiture fund. s. 73.
- prohibition within four miles of Mountain Mills and Pine Grove churches. s. 215.
- to authorize Alex. D. Coffee to establish ferry across Tennessee river. H. 963.

COMPTON, C. F., of Morengo—  
relief of. H. 783.

#### CONECUH COUNTY—

fees of sheriff for public road service. s. 107.  
to require county commissioners to procure blank  
forms, and record books, in conformity therewith  
for probate office. H. 482.  
Callahan a separate school district. s. 38.  
Fortner a separate school district. s. 38.  
to enlarge criminal jurisdiction of justices of the peace.  
H. 365.  
to regulate purchase and sale of seed cotton. H. 768.

CONINE, JAMES B.—  
relief of. s. 473.

#### COOSA COUNTY—

act amended to prevent stock from running at large.  
H. 6.  
regulating payment of claims against fine and forfeiture  
fund. H. 169.  
repeal of act to regulate publication of legal notices,  
so far as same relates to Coosa. H. 428.  
relief of H. R. Robbins, late sheriff of county. s. 159.  
prohibition within five miles of Goodwater Academy,  
amended. s. 400.

#### COVINGTON COUNTY—

made a separate chancery district, etc. H. 497.  
township trustees of public schools to be elected.  
H. 810.  
for protection of game. H. 726.  
elections on prohibition. H. 221.  
county court provided for in section 4193 of Code abol-  
ished. H. 110.  
act repealed, to protect domestic animals against camp  
hunters. H. 637.

#### COVINGTON AND ESCAMBIA ALLIANCE AND TRANSPORTATION COMPANY—

to incorporate. H. 318.

## CRENSHAW COUNTY—

stock law districts may be established or abolished.  
H. 112.

prohibition, within two miles of Emen's Methodist church. H. 163.

duty of commissioners court relating to fine and forfeiture fund. H. 271.

incorporation of Highland Home College. H. 638.

register, in chancery to act as judge of probate in certain cases. S. 327.

## CROSS PLAINS—

name changed to Piedmont. H. 103.

## CREWS, MISS LELA O., of Sumter county—

remove disabilities of non-age. H. 249.

## CULLMAN COUNTY—

prohibition, within three miles of Hopewell Baptist church. H. 101.

township trustees of public schools to be elected. 810.

prohibition, within three miles of Corinth church.  
S. 215.

## CULLMAN, TOWN OF—

charter amended. S. 161.

## DADEVILLE—

charter amended. H. 945.

## DALE COUNTY—

to prohibit the driving of logs, etc., in Choctawhatchee river below Newton, in county. H. 556.

Sylvan Grove, a separate school district. S. 38.

prohibition, within two miles of Union Presbyterian church, and Pleasant Ridge Baptist church. S. 215.

## DALLAS COUNTY—

section 3945 of Code amended. H. 95.

repeal of act to provide for working public roads.  
H. 11.

to regulate summoning of witnesses in criminal cases.  
S. 26.

## DALLAS COUNTY—Continued.

- F. M. Dansby, a liner between Dallas and Perry, a citizen of Dallas, etc. H. 646.  
 J. T. Caine, a liner between Perry and Dallas, declared a citizen of Dallas. H. 645.  
 incorporate Pleasant Hill Academy. H. 932.  
 act amended authorizing stock law districts. H. 604.  
 guardianship removed to Dallas from Lowndes county, of Corinne E. Rives, et als. S. 198.  
 repeal of act to define county line between Dallas and Perry. H. 780.

## DAYTON AND FARMSDALE RAILROAD CO.—

- right of way granted through certain lands. H. 695.

## DEBARDELABEN COAL AND IRON CO.—

- charter confirmed, amended, etc. H. 23.

## DECATUR LAND IMPROVEMENT AND FURNACE CO.—

- authorized to retire and cancel certain stock. S. 206.

## DECATUR, TOWN OF—

- act to create a board of education for town, amended. S. 241.  
 authorized to issue bonds for public improvements. S. 369.  
 to establish city court of. S. 192.

## DEKALB COUNTY—

- relating to settlement of State's witnesses claims. S. 140.  
 repeal of act to provide for appointment of solicitor for county. H. 762.

## DEMOPOLIS, CITY OF—

- authority to issue bonds for school purposes. S. 84.  
 amending act to establish new charter. S. 91.

## DEWBERRY &amp; BEVIS—

- relief of. H. 676.

## EAST BIRMINGHAM LAND AND RAILROAD CO.—

to further enlarge powers, rights, etc., of. s. 373.

## EAST LAKE LAND COMPANY—

to amend and enlarge charter of. H. 786.

## ELDER, SUSAN—

relieved from disabilities of non-age. s. 498.

## ELMORE COUNTY—

act repealed to regulate trial of misdemeanors. H. 16.  
unlawful to enter upon lands of another for purpose of  
hunting or trapping game or fish, without permis-  
sion. H. 322.

regulating fine and forfeiture fund. H. 547.

repeal of act to authorize erection of bridge at Wetump-  
ka by county, and issuance of bonds to pay for  
same. H. 757.

Central Institute, a separate school district. s. 38.

to prevent stock running at large in portions of beat  
eight. s. 504.

repeal of act relating to work of women and children.  
s. 476.

## ELYTON LAND COMPANY—

charter amended and confirmed. H. 664.

## ENSLEY RAILWAY—

charter amended, etc. H. 785.

## ESCAMBIA COUNTY—

township superintendent of township 2, range 10, to  
make title to certain land. H. 652.

clerk of the circuit court, ex-officio clerk of county  
court. s. 411.

Alco, a separate school district. H. 924.

to preserve order at Douglassville camp ground.  
H. 1027.

## ETOWAH COUNTY—

prohibition within three miles of Liberty Coosa Mis-  
sionary Baptist church, and Young's  
Chapel Methodist church. H. 126.

## ETOWAH COUNTY—Continued.

within one and a half miles of Pleasant Hill Baptist church in Cox's beat. H. 163.

within one and a half miles of Bethany Baptist church in Little Wills Valley. H. 163.

within four miles of Cove Creek Cumberland Presbyterian church. H. 163.

to incorporate Walnut Grove college. H. 761.

prohibition within three miles of Union Missionary Baptist church, Bristoe's Creek Missionary Baptist church, and Cove Camp Ground Methodist church. s. 215.

Gadsden a separate school district. H. 926.

## EUNOLA, in Geneva county—

section 13 of charter repealed. H. 389.

## EUTAW FEMALE ACADEMY—

to incorporate. H. 114.

## EVERETT, FRANCIS L., and ELIZA B.—

relief from disabilities of non-age. H. 937.

## FARMERS ALLIANCE EXCHANGE.

to incorporate. H. 45.

## FAUNSDALE, CITY OF—

charter amended. H. 694.

## FAYETTE COUNTY—

prohibition in all places in county, except in incorporated towns and cities having police regulations. H. 20.

prohibition repealed. H. 813.

N. L. Trull, authorized to survey and establish lines in Fayette county. H. 865.

repeal of an act requiring payment of teachers of public schools monthly. H. 599.

## FELLOWS, GEORGE B., ADM'R.—

relief of. H. 823.



FIDELITY MORTGAGE AND TRUST COMPANY OF  
ALABAMA—

to incorporate. s. 259.

FIRST PRESBYTERIAN CHURCH OF TALLADEGA—  
charter amended. H. 890.

FLORENCE BELT RAILROAD AND IMPROVEMENT  
COMPANY—

to incorporate. H. 675.

FLORENCE, CITY OF—

new charter. H. 614.

FLORENCE COTTON AND IRON COMPANY—

incorporation and organization of confirmed. s. 426.

FLORENCE EDUCATIONAL LAND AND DEVELOP-  
MENT COMPANY—

to incorporate. s. 389.

FLORENCE RAILROAD AND IMPROVEMENT CO.—

incorporation and organization of confirmed, etc. H. 674.

FORD, J. P., Marion county—

relief of. s. 121.

commissioner to have county warrant drawn in his favor.  
s. 120.

FORT PAYNE, CITY OF—

to incorporate. s. 461.

FRANKLIN COUNTY—

times and places of holding circuit court. s. 273.

GADSDEN, CITY OF--

act amended to authorize mayor and aldermen to nego-  
tiate loan, etc. H. 989.

GADSDEN FEMALE INSTITUTE—

to incorporate. H. 387.

## GENEVA COUNTY—

- repeal of act to regulate pay and mileage of jurors and commissioners. H. 286.
- to regulate issuance of liquor licenses. H. 759.

## GREENE COUNTY—

- protection of game. H. 999.
- to require commissioners of roads and revenues to give bond. H. 184.

## GREENSBORO, TOWN OF—

- authorized to issue bonds for payment debt and sanitary purposes. H. 457.

## GULF AND CHICAGO RAILWAY COMPANY—

- to incorporate. s. 422.

## GUNTERSVILLE, FORT PAYNE AND CHATOOGA RAILROAD COMPANY—

- to incorporate. s. 21.

## HALE COUNTY—

- section 3945 of Code amended. H. 95.
- to regulate summoning of witnesses in criminal cases. s. 26.
- regulating and providing for payment of State witnesses. H. 171.
- to create office of county solicitor. H. 500.
- act amended authorizing stock law districts. H. 604.
- game law amended. H. 756.
- requiring indexes in judge of probate's office. H. 972.

## HALEYSVILLE, TOWN OF—

- to incorporate. H. 910.

## HARTSELLE, TOWN OF—

- section 4 of act to incorporate amended. s. 183.

## HARDIE, DAISY, deceased—

- for relief of heirs of. H. 421.

## HASSON, ROBERT—

- appropriation to pay for articles purchased for use of house of representatives. H. 952.

## HAWKINS, NANCY—

authorized to sell certain lands lying in Coffee county.  
H. 8.

## HENRY COUNTY—

authorized to borrow money and issue bonds to build  
court house and jail. H. 18.

prohibition within two miles of the town of Kingsley.  
H. 163.

Baker, a separate school district. s. 38.  
prohibition, within four miles of Talbert Baptist church.  
H. 741.

## HELENA, TUPELO AND DECATUR R. R. CO.—

certain rights and privileges conferred on. s. 48.

## HENDERSON, LOUISA W.—

authority to purchase and sell certain lands as administra-  
tratrix. s. 178.

## HICKMAN, WILLIAM P.—

relief of. H. 367.

## HIGHLAND HOME COLLEGE—

to incorporate. H. 638.

## HUNTSVILLE, CITY OF—

new charter for. s. 126.

amendment of new charter. H. 685.

## IRBY FEMALE SEMINARY—

to incorporate. H. 275.

## JACKSON COUNTY—

repeal of act authorizing election on prohibition. H. 19.

prohibition within five miles of Scottsboro. H. 52.

Pleasant Grove school district; act establishing amended.  
H. 236.

amending act relating to manner of appointing overseers  
and apportioners of roads. H. 287.

repeal of act to provide for more efficient working of  
public roads. H. 472.

prohibition within five miles of Goose Pond church.  
s. 215.

JACKSONVILLE MINING AND MANUFACTURING  
CO—

charter amended. s. 445.

## JACKSONVILLE, TOWN OF—

authorized to prohibit hogs running at large on streets of.  
H. 104.

JACKSONVILLE, WILLIAMSPORT AND ANNISTON  
RAILWAY CO.—

to incorporate. s. 246.

## JASPER, CITY OF—

charter of. H. 90.

authorized to negotiate a loan. H. 91.

## JASPER LAND CO.—

charter ratified and confirmed. H. 735.

## JASPER TRUST CO.—

to incorporate. H. 733.

## JEFFERSON COUNTY—

amendments to act relating to working public roads, etc.,  
in county. H. 371.

county authorized to issue bonds and levy special tax.  
H. 372.

to expedite the trial of capital cases in. H. 22.

compensation to be paid county treasurer. H. 370.

court of county commissioners authorizad to have book  
made containing certain information about county.  
H. 373.

jurisdiction of justices and notaries in precinct 21 and 37,  
and wards of Birmingham. H. 487.

for protection of game. H. 726.

section 3947, Code amended, as to. H. 386.

to regulate practice and proceedings in civil cases in cir-  
cuit court of county, and in supreme court on ap-  
peal. H. 902.

relating to indexes in circuit clerk's office. s. 466.

to fix the pay of county commissioners. H. 663.

prohibition within five miles of Williamsburg Baptist  
church. H. 163.

## JEFFERSON COUNTY—Continued.

prohibition in all places in county, except in incorporated towns and cities having police regulations. H. 20.  
 prohibition, within five miles of Freewill Baptist church, Laodicea church, Hopewell church, Union Grove school house, Fogsett Mines and Morris High School, and in beat seventeen. S. 215.

## JENIFER, CITY OF—

to incorporate. H. 622.

## JENKINS, MINNIE L.—

name changed. H. 784.

## JOHNSON, MRS. MARY, Conecuh county—

relief of. H. 501.

## JONES, WILLIAM W.—

relief of. H. 318.

## KORNEGAY, JAMES B., Marengo county—

relief of. S. 303.

## LA FAYETTE, TOWN OF—

section 12 of charter amended. H. 1030.

## LAMAR COUNTY—

prohibition, within four miles of the church and masonic hall at Fernbank. H. 163.  
 prohibition, within three miles of Salem church. S. 215.  
 sections 3286, 3287, 3288, of the Code of 1876, re-enacted as to school district. H. 592.  
 repeal of act requiring payment of teachers of public schools monthly. H. 599.

## LAUDERDALE COUNTY—

authority to issue bonds, not over \$20,000. S. 108.  
 for protection of game. H. 726.  
 prohibition, in beat Methodist church at Rogersville is situated in. H. 135.  
 prohibition, within two miles of Pleasant Valley Baptist church, after January 1, 1890. S. 215.

## LAUDERDALE MANUFACTURING COMPANY—

incorporation and organization of, confirmed, etc.  
s. 427.

## LAWRENCE COUNTY—

act amended authorizing stock law districts. H. 604.  
prohibition, within the corporate limits of the town of  
Moulton, or within five miles thereof, or within  
five miles of the academy in the town of Hills-  
boro. s. 215.

## LEE COUNTY—

to define and mark the line between Russell and Lee.  
H. 262.

providing for settlement of indebtedness to the State.  
s. 109.

term of office of tax collector. H. 677.

name of Browneville changed. H. 679.

to prevent stock from running at large in a part of beat  
seven. s. 355.

Salem a separate school district. H. 990.

section of act amended to authorize county commis-  
sioners to settle the bonded indebtedness of Lee  
and Pickens counties. H. 842.

## LEIGHTON MALE AND FEMALE ACADEMY—

to incorporate. H. 991.

## LIMESTONE COUNTY—

for protection of fish in Big Limestone creek. H. 168.

Union a separate school district. H. 137.

Female Institute of the Tennessee conference, charter  
amended. H. 345.

section 4870 of Code amended, as to. H. 586.

to establish district in which it shall be unlawful to  
permit hogs to run at large. H. 806.

create office of cotton weigher of county. H. 970.

prohibition within two miles of State line church.  
H. 163.

prohibition within three miles of Hebron church, and  
within four miles of Harmony Grove church  
and Academy. s. 215.



## LIVINGSTON, TOWN OF—

charter amended. s. 267.

## LOMAX FIRE ENGINE CO. NO. 4, of city of Montgomery, charter amended. s. 188.

## LOUISVILLE, TOWN OF—

charter amended. s. 101.

## LOWNDES COUNTY—

sec. 3945 of Code amended as to. H. 95.

to regulate summoning of witnesses in criminal cases.  
s. 26.

fine and forfeiture fund act—amended and repealed.  
s. 39.

fixing salary of judge of county court, and to dispose of  
fees of said office. s. 57.

to prevent hunting on lands of another without permis-  
sion. H. 325.

to change the mode of paying judge of probate. H. 333.

to dispose of fees, etc., allowed judge of probate. s. 334.

act amended authorizing stock law districts. H. 604.

to amend sec. 1420 of Code. H. 899.

county board of commissioners to be elected by qual-  
ified voters of county. H. 419.

## LOWNDES RIFLES—

to incorporate. H. 892.

## MACON COUNTY—

act repealed to regulate trial of misdemeanors in. H. 34.

regulating fees of constables in criminal cases. H. 139.

for preservation of game, etc. H. 290.

to prevent hunting on lands of another in beats 1, 5 and  
8 without permission. H. 325.

Tuskegee a separate school district. s. 38.

## MACON AND BIRMINGHAM RAILROAD COMPANY—

authorized to operate road in Alabama. s. 308.

## MADISON COUNTY—

prohibition, within three miles of Cumberland Presby-  
terian and Methodist churches at Maysville.  
H. 163.

## MADISON COUNTY—Continued.

- sec. 4053 of Code amended as to county. H. 140.
- providing for working, keeping up, etc., of public roads. H. 311.
- authorized to build macadamized roads, and to issue bonds to aid in purchase or construction thereof. S. 337.
- to regulate fine and forfeiture fund. H. 690.
- Hazle Green a separate school district. S. 38.
- to define and prescribe a lawful fence in certain portions of county. H. 684.

## MARENGO COUNTY—

- to enforce the closing of gates upon public roads, and roads running through stock farms. H. 142.
- prohibition in McKinley's beat. H. 52.
- to grant right of way to Dayton and Faunsdale railroad company through Sec. 16, T. 17, R. 5, east. H. 695.
- act amended authorizing stock law districts. H. 604.
- Aimwell, a separate school district. S. 38.
- Moss Grove, a separate school district. S. 38.
- act amended to regulate disbursement of proceeds from hire of convicts. S. 282.
- for protection of game. H. 726.
- stock law amended. S. 304.
- sections 762 and 763 of Code, relating to constables attending court, amended. S. 194.

## MARENGO MILITARY ACADEMY—

- to incorporate. S. 269.

## MARION COUNTY—

- commissioners' court of required to make order for relief of J. P. Ford, late tax assessor. S. 120.
- times and places of holding circuit court. S. 273.
- repeal of act requiring payment of teachers of public schools monthly. H. 599.
- prohibition, within four miles of Allen Factory church. H. 101.
- within five miles of Corinth church in beat number 15. H. 101.
- within five miles of Wheeler's chapel church. H. 101.

## MARION COUNTY—Continued.

within five miles of Camp Ground church.

H. 101.

within the town of Guin. H. 101.

## MARION MILITARY INSTITUTE—

to incorporate. s. 232.

## MARSHALL COUNTY—

county commissioners to be elected by electors of each district. s. 59.

prohibition in Warrenton, beat 14. H. 58.

in Guntersville beat. H. 52.

county commissioners to furnish tools to work the public roads, and provide for their safe keeping. H. 196.

to amend section 1442 of Code, as to. s. 226.

claims against fine and forfeiture fund. H. 4.

re-registration of certain claims against. H. 700.

## MARY PRATT FURNACE COMPANY—

powers of enlarged. s. 395.

MECHANICS HOOK AND LADDER CO, of Montgomery,  
charter amended. s. 150.

## MILLPORT, TOWN OF—

to incorporate. H. 341.

## MIMS, W. J.—

late tax collector of Jefferson county, for relief of. H. 461.

MOBILE AND EASTERN SHORE RAILWAY AND  
NAVIGATION CO.—

to incorporate. s. 404.

## MOBILE, CITY OF—

repeal of act to raise a fund for benefit of fire companies in city. s. 199.

to provide a fund to be used exclusively for support of a paid fire department in city. s. 220.

act amended to establish river commission for Mobile river and branches. H. 704.

authorized to license and regulate use of mechanical

## MOBILE, CITY OF—Continued.

- motors upon street and suburban railways within city limits. H. 455.
- to provide for better policing of Frascati Park. H. 468.

## MOBILE COUNTY—

- to divide into three revenue and road commissioners districts, etc. H. 57.
- county authorized to issue bonds to redeem bonds to become due. H. 277.
- to prescribe the civil jurisdiction and regulate the practice in civil cases of the city court of Mobile county. H. 630.
- repeal of section four of act providing for election and regulating of justices and constables in part of county. H. 147.
- jurisdiction conferred on probate court to grant letters of administration to widow of James M. Bullock, deceased, on a limited bond. s. 266.
- boundary line between Mobile and Washington county to be re-established. H. 736.
- to amend act to fix compensation of county tax assessor. H. 470.
- to amend act for protection of fish. s. 44.
- act amended to establish river commission for Mobile river and branches. H. 704.
- to protect outstanding crops in county. s. 131.
- game law amended. H. 430.
- to regulate the trial of bastardy proceedings. H. 565.
- relief of tax collector. H. 781.

## MOBILE HARBOR—

- to regulate. H. 863.

## MOBILE, JACKSON AND KANSAS CITY R. R. CO.—

- to ratify consolidation and confer fuller powers. s. 35.

## MOBILE MUTUAL INSURANCE CO.—

- charter of, amended and extended. H. 153.

## MOBILE STREET RAILWAY CO.—

- charter amended. s. 204.
- authorized to establish parks, etc. H. 349.

## MONROE COUNTY—

- time and place of holding chancery court. H. 499.
- act amended authorizing stock law districts. H. 604.
- authorized to levy a special tax for bridge purposes.  
H. 1018.
- to regulate purchase and sale of seed cotton. H. 768.

MONTGOMERY AND SYLACAUGA RAILROAD CO.  
to incorporate. s. 112.

## MONTGOMERY, CITY OF—

- charter amended. H. 544.
- made a separate school district. H. 620.

## MONTGOMERY COUNTY—

- act amended to secure competent and well qualified jurors.  
H. 48.
- fixing compensation of county tax assessor. H. 469.
- amending act to provide for solicitor for county. s. 30.
- prohibit hunting or trapping game or fish upon lands of  
another, without permission. H. 322.
- prohibition does not apply to Monroe street in city of  
Montgomery, except in store corner of Court.  
s. 181.
- act amended authorizing stock law districts. H. 604.
- authority with Autauga county to erect bridge across Ala-  
bama river, and to issue bonds to pay for same.  
H. 849.

## MORGAN COUNTY—

- prohibition within three miles of Falkville. H. 50.
- to amend an act fixing term of office, etc., of county com-  
missioners. s. 20.
- act repealed relating to public roads. H. 255.
- separate school district, Lawrence Cove. s. 38.
- Woolf's beat. s. 38.
- Woodland Mills. s. 38.

NASHVILLE AND CHATTANOOGA RAILROAD  
COMPANY—

- amending act granting right of way. H. 321.

## NEW DECATUR, TOWN OF—

incorporation of confirmed. s. 298.  
 authorized to issue bonds. s. 297.  
 a separate school district. H. 792.

## NOBLE, B. F., Montgomery county—

relief of. H. 987.

## NOBLE INSTITUTE—

to incorporate. H. 631.

## NORTH PORT, TOWN OF—

repeal of act amending section one of charter. H. 949.

## OPELIKA, DISTRICT OF—

sections of act incorporating amended. H. 241.  
 charter of amended. s. 236.

## PAGE, W. S., of Jackson county—

relief of. H. 587.

## PENNINGTON, S. F., Lamar county—

relief of. H. 864.

PENSACOLA, ANDALUSIA, UNION SPRINGS AND  
CHATTANOOGA RAILROAD COMPANY—

to incorporate. H. 1034.

## PEOPLES SAVINGS BANK—

charter amended and name changed. H. 746.

## PERRY COUNTY—

section 3945 of the Code amended. H. 95.  
 stock law district established in township 16 of range  
 6, east. H. 170.  
 to regulate summoning of witnesses in criminal cases.  
 s. 26.  
 fixing fees of circuit court clerk. H. 258.  
 stock law districts; commissioners court may establish  
 or abolish them. H. 552.  
 lawful to hunt and kill deer in certain parts of. s. 368.  
 fix pay of superintendent of education of county.  
 s. 401.



## PERRY COUNTY—Continued.

act amended authorizing stock law districts. H. 604.  
 relating to indexes in office of judge of probate. s. 326.  
 prohibition within the limits of township 17, range 6,  
     except in limits of city of Uniontown. s. 215.  
 repeal of act to define county line between Dallas and  
     Perry. H. 780.

## PICKENS COUNTY—

prohibition within three miles of Shady Grove church.  
     H. 163.  
 prohibition within five miles of Union Chapel church.  
     s. 215.  
 prohibition in Fairfield Precinct. H. 553.  
 providing for settlement of indebtedness to the State.  
     s. 109.  
 to provide for assessment and collection of taxes.  
     s. 171.  
 act amended to authorize county commissioners to set-  
     tle the bonded indebtedness of Lee and Pickens  
     counties. H. 842.

## PIEDMONT HIGH SCHOOL—

to incorporate. H. 815.

## PIEDMONT, TOWN OF—

charter of, and Cross Plains changed to. H. 103.

## PIKE COUNTY—

act amended to change the line between Pike and Bul-  
     lock counties. s. 152.  
 authorizing special tax for line fences for stock law dis-  
     tricts. H. 260.  
 to amend section 4 of an act to secure jurors. H. 434.  
     regulate taking up stock in stock districts belonging  
     to parties in non-stock districts. H. 381.  
 criminal court established. H. 435.  
 for protection of game. H. 726.  
 repeal of act laying county off into commissioner's dis-  
     tricts, etc. H. 846.  
 name of town of Brundidge changed. H. 790.

## PLEASANT HILL ACADEMY—

to incorporate. H. 932.

## PRATTVILLE, TOWN OF—

act of incorporation amended. H. 590.

## PROHIBITION—

in Butler county, except beat 12. s. 400.

Clay county. H. 109.

places in county of Autauga. H. 20.

Baldwin. H. 163.

Barbour. H. 163, s. 215.

Blount. H. 101, s. 215.

Calhoun. s. 215.

Chambers. s. 215.

Coffee. s. 215.

Colbert. s. 215.

Coosa. s. 400.

Crenshaw. H. 163.

Cullman. H. 101, s. 215.

Dale. s. 215.

Etowah. H. 126, H. 163, s. 215.

Fayette. H. 20.

Henry. H. 163, H. 741.

Jackson. H. 52, s. 215.

Jefferson. H. 163, s. 215. H. 20.

Lamar. H. 163.

Lauderdale. s. 215, H. 135.

Lawrence. s. 215.

Limestone. H. 163, s. 215.

Madison. H. 163.

Marengo. H. 52.

Marion. H. 163, H. 101.

Marshall. H. 52, H. 58.

Morgan. H. 50.

Perry. s. 215.

Pickens. H. 163, s. 215.

Russell. s. 215.

Shelby. H. 163.

St. Clair. s. 215.

Talladega. H. 20.

Tallapoosa. H. 163, s. 215.

Tuscaloosa. H. 163, s. 215.

Walker. H. 92, H. 101, H. 163,

H. 20, s. 215.

Winston. H. 163.

## PROHIBITION—Continued.

local option in Covington county. H. 221.  
 Geneva county. H. 759.

## LAWS REPEALED.

within half a mile of Catholic church at Battle's wharf  
 in Baldwin county. s. 59.  
 three miles of M. E. Church South in Clayton,  
 Barbour county. s. 59.  
 Fayette county. H. 813.  
 authorizing election on in Jackson county. H. 19.  
 on part of Monroe street, in city of Montgomery.  
 s. 181.

## POWELL, LEWIS R.—

relief of. H. 515.

## RANDOLPH COUNTY—

regulating the payment of claims against general  
 fund of. H. 69.  
 providing for settlement of indebtedness to the State.  
 s. 109.  
 incorporation of Roanoke Normal College. s. 142.  
 to provide for assessment and collection of taxes.  
 s. 171.  
 stock law districts; to authorize elections thereon.  
 H. 209.  
 to regulate payment of claims against fine and forfeit-  
 ure fund. H. 719.  
 section 1422 Code, amended as to. H. 70.  
 to amend act to regulate payment of claims against  
 general fund. H. 1017.

## ROANOKE NORMAL COLLEGE—

incorporation of. s. 142.

## ROGERS, MARY, a minor—

relief. s. 443.

## RUSSELL COUNTY—

to define and mark the line between Russell and Lee.  
 H. 262.  
 act amended authorizing stock law districts. H. 604.  
 prohibition, within beat two, after January 1, 1890.  
 s. 215.

# RUSSELLVILLE, TOWN OF—

new charter for. s. 134.

# SANDERS, JOHN, of Monroe county—

relief from disabilities of non-age. s. 238.

# SAVANNAH, AMERICUS AND MONTGOMERY RAILWAY—

incorporation of. H. 563.

# SCOTT ACADEMY, at Scottsboro—

act of incorporation amended. H. 743.

# SCOTTSBORO, TOWN OF—

act of incorporation amended. H. 787.

# SELMA—

to provide for funding and paying the legal debts of.  
H. 13.

charter amended. H. 459 and 640.

amending act to provide for funding and paying legal  
debts of Selma, created prior to Dec. 6, 1875. H. 641.

# SELMA LAND IMPROVEMENT AND FURNACE CO.—

charter amended, etc. H. 15. s. 47.

# SELMA PARK ASSOCIATION—

incorporation of. H. 306.

# SEPARATE SCHOOL DISTRICTS—

Aimwell, in Marengo county. s. 38.

Alco, Escambia county. H. 924.

Baker, in Henry county. s. 38.

Belcher, in Barbour county. H. 274.

Blount Springs, in Blount county. H. 100.

Callahan, in Conecuh county. s. 38.

Central Institute, in Elmore county. s. 38.

Chinnabee, in Talladega county. H. 598.

Decatur, town of, act of amended. s. 241.

Fortner, in Conecuh county. s. 38.

Gadsden, in Etowah county. H. 926.

Hazle Green, in Madison county. s. 38.

Ironaton, in Talladega county. s. 38.

La Fayette, in Chambers county. H. 549.

Lawrence Cove, in Morgan county. s. 38.

Montgomery, city of. H. 620.

## SEPARATE SCHOOL DISTRICTS—Continued.

- Moss Grove, in Marengo county. s. 38.
- New Decatur, in Morgan county. H. 792.
- Pleasant Grove, in Jackson county, act establishing same amended. H. 236.
- Salem, in Lee county. H. 990.
- Salitpa, in Clarke county. H. 5.
- Sheffield, in Colbert county. s. 417.
- Marion and Lamar counties. H. 592.
- Sylvan Grove, in Dale county. s. 38.
- Titi, in Coffee county. s. 38. H. 512.
- Tuscumbia, city of. s. 76.
- Tuscaloosa county, providing for in. H. 161.
- Tuskegee, in Macon county. s. 38.
- Union, in Limestone county. H. 137.
- Woodland Mills, in Morgan county. s. 38.
- Wolf's beat, in Morgan county. s. 38.

SHEFFIELD AND SEABOARD R. R. CO.—  
to incorporate. s. 371.SHEFFIELD, CITY OF—  
a separate school district. s. 417.  
charter amended. s. 391.SHEFFIELD LAND AND COAL CO.—  
incorporation and organization of confirmed, etc.  
s. 348.SHELBY COUNTY—  
prohibition, within four and a half miles of Oak Grove church. H. 163.  
regulating fine and forfeiture fund. H. 547.  
to authorize appropriations for public schools for 1889, and 1890, from county treasury. H. 856.  
regulate the payment of claims against fine and forfeiture fund. H. 719.  
regulate the trial of misdemeanors. H. 577.SHELBY IRON COMPANY—  
charter amended. H. 527.SKINNER, THOS. H.—  
relief of. H. 783.

## SOUTHERN GUARANTY COMPANY—

incorporation of. s. 194.

## SOUTHERN IRON COMPANY—

incorporation of. H. 934.

## SOUTH-WESTERN RAILROAD COMPANY—

act incorporating amended. H. 624.

## SPRING HILL FEMALE ACADEMY—

to incorporate. H. 53.

## STATE NORMAL SCHOOL FOR COLORED STUDENTS—

for removal from Marion of State Normal School and University, change of name and providing for control and maintenance. s. 86.  
relief of. H. 154.

## ST. CLAIR COAL COMPANY—

act of incorporation amended. H. 725.

## ST. CLAIR COUNTY—

election on permanent location of county site. H. 159.  
s. 495.

fixing term of office, etc., of county commissioners.  
s. 20.

for protection of game. H. 726.

prohibition within three miles of Kelley's Creek post office. s. 215.

incorporation of Broken Arrow annulled and vacated.  
H. 601.

prohibition within five miles of Harken's chapel, precinct number 6; Union church, precinct number 5; Pleasant Hill church, precinct number 4; Fishing Creek Methodist church at Seddon, beat number 11. H. 101.

## STEPHENS, W. A., of Cleburne county—

relief of. H. 619.

## SUMTER COUNTY—

to amend section 3089, as to. H. 84.

section 3932 of Code amended. s. 34.

act amended authorizing stock law districts. H. 604.



SWEAT, A., Henry county—  
relief of. H. 595.

TALLADEGA COLLEGE, TALLADEGA, ALA.—  
charter amended. H. 477.

TALLADEGA COUNTY—

prohibition in all places in county, except in incorporated towns and cities having police regulations. H. 20.  
amending act to provide for more efficient working of public roads. H. 380.

charter of the town of Collegeton, revoked. s. 186.  
county commissioners can establish stock law districts. H. 478.

to amend act relating to stock law districts. s. 219.  
repeal of act for protection of game in beat number seven. H. 302.

TALLAPOOSA COUNTY—

justices of the peace impose fine for drunkenness. H. 537.  
act amended to prevent stock from running at large. H. 6.

prohibition within three miles of the Baptist and Methodist churches in the town of Daviston. H. 163.  
providing for settlement of indebtedness to the State. s. 109.

act repealed to change the apportioning of hands. H. 215.  
authorized to issue bonds of county. s. 245.  
terms of circuit court of fifth judicial circuit to be held at Alexander city. s. 287.

to provide for assessment and collection of taxes. s. 171.  
prohibition, within three miles of County Line school house, Oak Grove colored Methodist church, Thaddeus postoffice, Agricola postoffice, or within four miles of Davis Creek church. s. 215.

TARRANT, A. J.—

late tax assessor of Jefferson county, for relief of. H. 460.

TENNESSEE AND COOSA RAILROAD COMPANY—  
release of indebtedness to the State. s. 22.

TENNESSEE RIVER AND BIRMINGHAM RAILROAD COMPANY—  
incorporation of. 881.

THE ORPHANS' HOME OF THE NORTH ALABAMA  
ANNUAL CONFERENCE OF M. E. CHURCH,  
SOUTH—

incorporation of. s. 480.

THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF  
BIRMINGHAM—

incorporation of confirmed. H. 868.

THAGARD, WARREN R., Butler county—

relief of. s. 231.

THOMPSON, JESSE H., Macon county—

relief from disabilities of non-age. H. 682.

TOWN CREEK, TOWN OF—

act of incorporation amended. H. 782.

TROY, CITY OF—

authorized to issue bonds. H. 208.

ratification of purchase of lands, and of contract made  
for State Normal School. H. 206.

TRUSTEES OF THE INDIGENT MINISTERS' FUND  
OF THE COOSA RIVER BAPTIST ASSOCIATION—

incorporation of. H. 791.

TUSCALOOSA AND CASTLE HILL REAL ESTATE  
AND MANUFACTURING COMPANY—

incorporation confirmed. s. 110.

TUSCALOOSA, CITY OF—

charter amended. s. 208, s. 209.

TUSCALOOSA COUNTY—

prohibition within three miles of Good Hope church.  
H. 163.

permitting and providing for separate school districts.  
H. 161.

claims against fine and forfeiture fund. H. 578.

act amended to establish Warrior agricultural district.  
H. 316.

for protection of game. H. 580.

## TUSCALOOSA COUNTY—Continued.

prohibition, within three miles of Davis Creek church  
in Favor's beat. s. 215.

to prevent hunting and fishing within Warrior agricultural district. H. 415.

Mrs. Joan R. Vance authorized to sell lands belonging  
to estate of Jno. M. Vance, deceased, in Tuscaloosa and Bibb counties. H. 776.

## TUSCUMBIA, CITY OF—

charter of amended. s. 446.

authorized to issue bonds. s. 75.

a separate school district. s. 76.

## TUSKEGEE, TALLASSEE AND SYLACAUGA RAILROAD COMPANY—

incorporation of. H. 1005.

## UNIONTOWN, CITY OF—

authorizing issue of bonds for bored well and water  
works. H. 62.

## VANCE, MRS. JOAN R.—

authorized to sell lands belonging to estate of deceased  
husband. H. 776.

## VERNON INSTITUTE—

incorporation of. H. 886.

## VINSON, ARTHUR, Franklin County—

relief of. s. 268.

## WALKER COUNTY—

prohibition, within five miles of Day's Gap. H. 92.

prohibition, within five miles of Townsley coal mine.  
H. 101.

prohibition, within five miles of Townley's Station in  
beat 6. H. 101.

prohibition, within five miles of Mount Zion church,  
section 10, township 15, range 9. H. 101.

prohibition, within five miles of Zion church. H. 163.

prohibition, within five miles of Union Chapel church.  
H. 163.

## WALKER COUNTY—Continued.

prohibition in beat number 8. H. 163.

all places in county, except in incorporated towns and cities having police regulations. H. 20.

prohibition within five miles of any coal or iron ore mine, or coal or iron ore mining camp, within three miles on either side of the Sheffield and Birmingham railroad. S. 215.

## WALNUT GROVE COLLEGE—

incorporation of. H. 761.

## WARRIOR, ATTALLA AND JASPER R. R. CO.—

incorporation of. S. 288.

## WASHINGTON COUNTY—

justices of the peace impose fines for drunkenness. H. 537.

increasing pay of county commissioners. H. 93.

boundary line between Washington and Mobile counties to be re-established. H. 736.

## WESTERN CONTRACT AND CONSTRUCTION COMPANY OF ALABAMA—

incorporation of. H. 536.

## WETUMPKA, CITY OF—

charter amended. S. 500.

## WILCOX COUNTY—

regulating fees of officers of court against fine and forfeiture fund. H. 94.

section 3945 of Code amended. H. 95.

repeal of act to amend section 1630 of Code of 1876. H. 165.

to regulate summoning of witnesses in criminal cases. S. 26.

amend act to regulate taking up of stock. H. 329.

authorize ferry at Ellis' Landing on Alabama river. H. 824.

act amended authorizing stock-law district. H. 604.

## WINSTON COUNTY—

prohibition within three miles of Methodist church on the northeast and south, and to the Marion county line on the west. H. 163.

prohibition within three miles of Mount Zion church, at Vanvoo Station. H. 163.

time and place of holding chancery court. H. 519.

to regulate publication of notices of sales of personal property by sheriff. S. 492.

## WITHERSPOON, T. M.—

relief of. H. 783.

## WOODSTOCK ACADEMY—

incorporation of. H. 772.

## WOOLF, S. G.—

relief of. H. 783.

# INDEX TO RESOLUTIONS, MESSAGES, ETC.

---

[The reference is to the page of the Journal].

---

## ADJOURNMENT—

for recess, 357.

final, 976.

remarks of speaker before, 975.

## AUDITOR AND TREASURER—

report of joint committee on offices of, 501.

## BILLS—

introduction of, 31, 43, 52, 71, 84, 100, 108, 125, 137, 153, 168, 179, 195, 214, 223, 238, 244, 256, 300, 309, 341, 370, 374, 395, 418, 426, 440, 487, 498, 504, 518, 542, 556, 585, 596, 627, 654, 673, 694, 712, 739, 759, 788, 813.

second reading of, (reports from standing committees)—  
50, 59, 68, 90, 104, 111, 129, 140, 157, 172, 184, 200, 218, 221, 234, 245, 258, 303, 348, 353, 386, 399, 410, 430, 489, 497, 505, 521, 545, 558, 586, 598, 628, 655, 674, 695, 713, 741, 760, 778, 789, 799, 804, 813, 839, 862, 898.

third reading of, 61, 76, 93, 117, 128, 131, 144, 149, 161, 176, 188, 201, 237, 248, 269, 271, 283, 288, 308, 311, 323, 329, 336, 338, 361, 364, 371, 389, 421, 435, 439, 492, 525, 527, 548, 561, 567, 571, 575, 593, 601, 608, 627, 632, 638, 653, 661, 663, 664, 681, 687, 697, 699, 707, 717, 726, 743, 747, 748, 755, 764, 771, 778, 791, 794, 800, 805, 816, 822, 828, 842, 848, 851, 854, 871, 875, 878, 883, 887, 890, 896, 917, 920, 921, 927, 931, 939, 955, 966.

signing of, 97, 121, 131, 152, 167, 173, 194, 205, 210, 254, 270, 281, 321, 322, 335, 346, 348, 351, 355, 395, 425, 426, 442, 490, 504, 512, 517, 536, 564, 566, 574, 605, 646, 649, 673, 697, 710, 726, 755, 759, 799, 813, 824, 838, 849, 862, 881, 890, 916, 926, 935, 955, 966, 969, 973.



CALDWELL, JNO. H., State agent—  
report of, 977.

CENTENNIAL ANNIVERSARY—  
report of federal relations on, 716.

#### COMMITTEE—

appointed under section 34 of Code, 19.  
ways and means, and judiciary employ clerk, 43.  
revision of laws employ clerk, 50.  
appointed to investigate convict system, 128.  
escort Dr. Curry to floor of the house, 416.  
report of, on auditor's and treasurer's offices, 501.  
on two and three per cent. fund, 607.  
on memorial of Messrs. Wilkinson and Kneeland, 937.  
special on temperance bills, 204.

#### CONFERENCE COMMITTEES—REPORT OF—

joint resolution counting money, 142, 143.  
on H. 167, 264; H. 6, 266; S. 59, 310; H. 232, 344; S. 137, 513; H. 226, 582; H. 241, 621; S. 44, 610; H. 98, 730; H. 504, 731; S. 177, 743; S. 209, 762; H. 557, 911, 959; S. 215, 913; H. 243, 944; H. 897, 945; H. 942, 962; S. 362, 962; H. 276, 967.

#### CONVICT SYSTEM—

committee to investigate, 128.  
report of committee, 442-482.

#### ENROLLED BILLS—

97, 121, 131, 152, 167, 194, 204, 209, 253, 280, 321, 335, 346, 347, 354, 425, 442, 503, 517, 565, 574, 647, 695, 708, 758, 797, 812, 823, 848, 860, 878, 914, 947, 964, 968.

#### ENROLLMENT—

3, 134, 357.  
erasure of signature by speaker to H. 34, 144, 152.

#### EXPLANATION OF VOTE—

by Mr. George, 177.  
Lay, 215.

## EXPLANATION OF VOTE—Continued.

by Mr. Ledyard, 222.  
 Hundley, 296.  
 Wiley, Carter, Stowers, 717.

## GREENE, HON. M. J.—

privileges of floor extended to, 194.

## HOUSE OF REPRESENTATIVES—

notified of permanent organization of senate, 10.  
 standing committees of, 28.  
 rules of, 20.

## GOVERNOR—

inauguration of, 199.  
 messages from, 13, 33, 58, 61, 144, 171, 199, 213, 223,  
 267, 282, 321, 345, 346, 356, 358, 392, 434, 491,  
 535, 555, 622, 636, 671, 685, 706, 732, 763, 783,  
 804, 821, 824, 836, 837, 850, 871, 916, 966, 969,  
 973.

## JACK vs. RICHERSON—

contested election to seat in House of Representatives, 12,  
 43, 191, 192, 233, 234, 237, 238.

## JOINT CONVENTIONS—

to count vote, 34.  
 elect United States senator, 173.  
 solicitor tenth circuit, 398.  
 city court of Decatur, 583.  
 Anniston, 874.

## KNEELAND, S. H.—

report of committee on memorial of, 937.

## MESSAGES FROM THE SENATE—

10, 12, 18, 19, 40, 50, 67, 71, 83, 89, 96, 99, 107, 115, 116,  
 122, 124, 135, 143, 160, 170, 173, 183, 196, 205,  
 210, 222, 229, 239, 243, 262, 265, 268, 270, 271,  
 281, 282, 288, 297, 300, 307, 310, 317, 322, 323,  
 335, 337, 342, 346, 348, 350, 352, 354, 356, 385,  
 393, 409, 421, 425, 429, 434, 482, 489, 509, 512,

## MESSAGES FROM THE SENATE—Continued.

514, 524, 532, 535, 539, 548, 563, 564, 566, 570,  
 577, 599, 605, 633, 638, 646, 649, 657, 662, 673,  
 678, 692, 697, 705, 709, 710, 716, 725, 728, 734,  
 746, 748, 754, 759, 763, 788, 790, 795, 798, 812,  
 814, 820, 823, 827, 833, 837, 839, 849, 850, 857,  
 865, 871, 880, 881, 889, 890, 899, 912, 915, 924,  
 927, 934, 943, 945, 946, 960, 963, 964, 968, 970.

## OATH OF OFFICE—

5, 10.

## OFFICERS—

election of, 6-10.

appointment of, 12.

## PROTEST—

of Mr. Pettus against H. B. 193.

Messrs. Nelson, Dupree and Adams, against s. 400,  
 663.

## REMARKS OF SPEAKER BEFORE ADJOURNMENT—

975.

## RECONSIDERATION—

200, 203, 208, 237, 283, 371, 390, 403, 486, 491, 503, 518,  
 623, 652, 672, 680, 687, 733, 757, 777, 821, 837,  
 859, 927, 936, 937.

## REPORT OF HON. JOHN H. CALDWELL—

showing results of efforts on behalf of State of Ala-  
 bama in the prosecution and settlement of claims  
 of State against the United States, 977-990.

## RESOLUTIONS—

Doorkeeper to purchase necessary supplies, 10.

Clerk to inform senate of permanent organization, 10.

Doorkeeper to obtain Codes for each member, 11.

Standing committee on rules, 11.

Attendant for gallery authorized and salary, 11.

Doorkeeper to procure keys for desks, 12.

Parcelling out governor's message, 16, 17, 51.

Committee to extend courtesies to senator Morgan, 17.

## RESOLUTIONS—Continued.

Inviting senator Morgan to address the house, 18.

Enrolling and engrossing clerks to assist clerk, 18.

250 copies of rules to be printed, 19.

For health and convenience of members, 20.

100 copies rules filed with Secretary of State, 52.

Ways and means to ascertain if expedient to sell lands bought at tax sale by State, 59.

Clerk and engrossing clerk to employ necessary assistance, 93.

Proposing new rule, 95.

National Congress of Farmers tendered hall of house, 95.

In regard to death of Hon. J. M. Bullock, 103, 133.

Adjutant-general's report to be printed, 115.

Requesting committee on joint rules to confer and amend rule 5, 116.

Privileges of floor extended to senator Pugh, 142.

Requiring auditor to furnish list of tax collectors paying over \$60,000.00 into State treasury for 1887, 172.

Requiring auditor to furnish list showing commissions on over \$60,000.00 for 1887, 172.

Instructing clerk to notify senate that house ready to receive it to ascertain result of election for U. S. Senator, 173.

Referring local prohibition bills on calendar to special committee, 191, 204.

That E. R. Richerson not entitled to seat, 191, 192.

Proposing new rules, 192, 248, 307, 535, 564, 717, 741, 784, 826.

To officially notify governor that Mr. Richardson has been unseated, 295.

Containing call of counties for passage of bills, 317.

Immigration convention tendered use of hall of house, 35.

To call counties and each member call up bill and put on passage, 407.

Appointing special committee on prohibition bills, 490.

Inviting Dr. Wines to address general assembly, 575.

Requiring committee clerks to assist clerk when not engaged with committee, 636.

Committee provided for to draft all bills relating to school charter and authorizing employment of clerk, 636.

To consider general bills on calendar, 728.

Discharging clerks of ways and means, judiciary and revision of laws, 784.

## RESOLUTIONS—Continued.

That leave of absence be granted only on account of sickness, 935.

Of thanks to Mobile Register, 974.

Clerk and assistant clerk of house and other clerks and assistants, and doorkeeper, and assistants, 974.

Of thanks to Maj. L. C. Ramsey, 974.

## HOUSE JOINT—

Joint committee to wait on clergy of city, 11, 12, 31.

Joint committee to notify governor of permanent organization, 11, 12, 13.

Fixing day to count vote, 18.

Requesting governor to report what steps have been taken under act approved February 28, 1887, 40.

Quarantine conference, 65.

In regard to numbering sections of Code, 103, 116, 306.

Joint committee raised to investigate convict system, 128, 135, 198, 200, 281, 288, 334, 357.

In regard to witnessing oath of office administered to Gov. Seay, 190, 191, 192, 197.

To wait on governor, 356.

To hold joint convention to elect solicitor for tenth circuit, 393.

Chairmen finance committees requested to furnish estimates of probable State revenue for fiscal years 1890 and 1891, 486.

Chairmen appropriation committee to furnish estimate of appropriations made, 486.

Governor to publish proceedings of quarantine conference, 526.

Authorizing sale of two Gatling guns, 538, 548.

For joint convention to elect solicitor for city court of Decatur, 574.

Authorizing governor to have printed and bound reports of State officers, and disposition of same, 624.

To urge senators and representatives in congress to make efforts to obtain certain lands for educational purposes, 740.

To urge senators and representatives in congress to make efforts to carry into effect compact between Alabama and Mississippi, 739.

Fixing day of final adjournment, 788, 813, 814, 820.

Joint session to elect solicitor Anniston city court, 862, 871.

As to whether recess on February 27th is necessary, 897, 911, 912.

Appointing committee to wait on governor, 974, 975.

## RESOLUTIONS—Continued.

## SENATE JOINT—

- Committee on joint rules, 12.
- On 2 and 3 per cent. fund, 18.
- To arrange terms of south-western chancery division, 19.
- To relieve crowded dockets in seventh circuit, 19.
- In relation to proceeds of sale of certain lands, 40.
- Repairs on capitol, 50, 84.
- Relating to Agricultural and Mechanical College, 71.
- Authorizing committee under section 34 of Code to employ clerks, 115, 124, 125.
- Relating to recess, 135, 136, 178, 183.
- Relating to mileage, 135, 136.
- Relating to adjournment for thanksgiving, 161.
- Relating to inviting Hon. J. L. M. Curry to address general assembly, 210, 213.
- Authorizing committee on convict system to sit during recess, 243.
- Relating to printing report of trustees of State University, 346, 347.
- Relating to recess, 352, 353.
- Relating to address of Dr. Curry, 409.
- Relating to federal aid to State Female School for white girls, 509, 517, 624.
- Relating to employment of clerks, 905, 911.

## RULES—

- Of last house adopted for temporarily, 5.
- Of present session, 20, 67, 265, 560.
- Joint, 30.

## SEATS—

- Assignment of, 5.

## SEPARATE SCHOOL DISTRICTS—

- Appointing committee to draft omnibus separate school district bill, 574.

## SPECIAL ORDERS—

- 66, 97, 123, 131, 133, 148, 175, 177, 187, 192, 206, 214, 216, 231, 233, 254, 284, 298, 386, 388, 392, 403, 407, 420, 426, 486, 511, 512, 515, 537, 561, 593, 625, 651, 680, 690, 698, 708, 734, 738, 785, 811, 822, 919, 920, 921.



## TWO AND THREE PER CENT. FUND—

report of committee on. 607.

## UNITED STATES SENATOR—

time fixed to elect, 153, 156.  
election of, 173.

## UNFINISHED BUSINESS—

82, 152, 167, 263, 573, 664, 725, 757, 847, 854.

## VETO—

s. 331, passed notwithstanding, 833-5.  
H. 332, sustained, 970.

## WILKINSON, GEO.—

report of committee on memorial of, 937.

# OFFICERS AND MEMBERS OF THE HOUSE

AND THEIR POST-OFFICE ADDRESS.

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## OFFICERS :

C. C. Shorter, Speaker, Eufaula, Barbour county.  
Benj. F. Elmore, Clerk, Grove Hill, Clarke county.  
A. H. Carmichael, Assistant Clerk, Tusculumbia, Colbert Co.  
L. C. Ramsey, Engrossing Clerk, Tuskegee, Macon county.  
F. W. Gist, Enrolling Clerk, Centreville, Bibb county.  
Robert Hasson, Doorkeeper, Gadsden, Etowah county.  
W. R. Christopher, Assistant Doorkeeper, —, Limestone county.  
Buford Hobdy, Messenger, Union Springs, Bullock county.  
N. B. Burton, Page, Montgomery, Montgomery county.  
G. T. Long, Jr., Page, Eufaula, Barbour county.  
Crowell Broadnax, Page, Evergreen, Conecuh county.

## MEMBERS.

Autauga—Merrill E. Pratt, Prattville.  
Baldwin—H. A. Tatum, Daphne.  
Barbour—C. C. Shorter, Eufaula.  
          Judson Davie, Cowikee P. O.  
          A. B. Bush, Cotton Hill.  
Bibb—S. M. Adams, Randolph.  
Blount—S. H. C. Johnson, Lowry.  
Bullock—N. B. Powell, Union Springs.  
          Geo. Stowers, Reynolds.  
Butler—T. C. King, Greenville.  
Calhoun—G. C. Williams, White Plains.  
Chambers—N. D. Denson, LaFayette.  
          M. V. Maley, Fredonia.  
Cherokee—Charles Rattray, Cedar Bluff.  
Chilton—J. M. Dykes, Clanton.  
Choctaw—J. A. Watters, Mount Sterling.  
Clarke—A. L. McLeod, Jackson.  
Clay—A. J. Nelson, Hillabee.  
Cleburne—H. Allen, Bell's Mills.

- Coffee—J. B. Simmons, Elba.  
 Colbert—W. C. Summers, Littleville.  
 Conecuh—Robt. A. Lee, Evergreen.  
 Coosa—W. C. Brown, Mt. Olive.  
 Covington—E. J. Mancill, Andalusia.  
 Crenshaw—J. T. Watson, Aiken.  
 Cullman—C. J. Higgins, Logan.  
 Dale—H. J. Smisson, Newton.  
 Dallas—Francis L. Pettus, Selma.  
     W. C. Billingslea, Brown's Station.  
     J. Finley White, Selma.  
     W. P. Hardy, Pleasant Hill.  
 DeKalb—R. M. Blevins, White Sulphur Springs.  
 Elmore—Geo. H. Parker, Eclectic.  
 Escambia—Milton A. Rabb, Brewton.  
 Etowah—G. B. Wade, Aurora.  
 Fayette—Jas. M. Files, Glen Allen.  
 \*Franklin—Jas. W. Bolton, Belgreen.  
 Geneva—John L. White, Geneva.  
 †Greene—Thos. J. Patton, Knoxville.  
     Wm. Smaw, Eutaw.  
 Hale—Wm. N. Knight, Greensboro.  
     Alfred H. Beñners, Greeesboro.  
 Henry—J. B. Ward, Abbeville.  
 Jackson—W. H. Bogart, Stevenson.  
     Jno. D. French, Larkinsville.  
 Jefferson—Robt. J. Lowe, Birmingham.  
     M. A. Porter, Birmingham.  
 Lamar—R. L. Bradley, Vernon.  
 Lauderdale—T. O. Bevis, Gravelly Springs.  
     J. M. Cunningham, Centre Star.  
 Lawrence—W. W. NeSmith, Concord.  
     M. V. Curtis, Gum Pond.  
 Lee—Wm. D. Kyle, Opelika.  
     W. A. McElvey, Lively.  
 Limestone—Ben. M. Sowell, Athens.  
     A. W. Mosely, Mooresville.  
 Lowndes—A. C. McRee, Lowndesboro.  
     J. H. Russell, Sandy Ridge.  
 Macon—Sidney B. Paine, Tuskegee.  
 Madison—Oscar R. Hundley, Huntsville.  
     Jno. P. Hampton, Meridianville.  
     E. F. Walker, Gurley's.  
 Marengo—Sam. G. Woolf, Linden.  
     D. J. Meador, Myrtlewood.

- Marion—H. T. Clark, Hamilton.  
 Marshall—Jno. G. Winston, Jr., Guntersville.  
 Mobile—Dan'l H. Lay, Mobile.  
     Erwin Ledyard, Mobile.  
     Winfield S. Lewis, Mobile.  
     Warren A. Anderson, Theodore.  
 Monroe—Wm. B. Kemp, Kempville.  
 Montgomery—A. A. Wiley, Montgomery.  
     Alva Fitzpatrick, Montgomery.  
     W. Joel Barnett, Panther.  
     J. R. McLendon, Naftel.  
 Morgan—J. E. Weaver, Blue Springs.  
 Perry—Wm. F. Hogue, Scott's Station.  
     Alex. D. Pitts, Uniontown.  
 Pickens—Lewis M. Stone, Carrollton.  
     M. L. Stansel, Carrollton.  
 Pike—Jas. M. Carter, Olustee.  
     W. B. Darby, Henderson.  
 Randolph—Samuel Henderson, jr., Wedowee.  
 Russell—Jno. V. Smith, Seale.  
     Frank L. Nisbet, Oswichee.  
 Shelby—A. P. Longshore, Columbiana.  
 St. Clair—Jno. S. Maddox, Easonsville.  
 Sumter—Andrew J. Arrington, Eppes' Station.  
     T. D. Bourdeaux, York Station.  
 Talladega—Willis T. Webb, Alpine.  
     Geo. T. McElderry, McElderry.  
 Tallapoosa—O. P. Dark, Alexander City.  
     J. N. Dupree, Dadeville.  
 Tuscaloosa—Newton N. Clements, Tuscaloosa.  
     Wm. G. Cochrane, Tuscaloosa.  
 Walker—McPherson Cornelius, Day's Gap.  
 Washington—Hiram M. Posey, McIntosh Bluff.  
 Wilcox—Wm. A. George, Camden.  
     B. Meek Miller, Camden.  
 Winston—Jno. C. Long, Double Springs.

\* Hon. Ed. Richerson, of Waco, was elected as the member from Franklin, but was unseated on December 6th, 1888. Mr. Bolton enrolled on January 29th, 1889.

† Hon. J. M. Bullock was elected from Greene but died before General Assembly met.